

PROMOTION OF LEGAL LITERACY AMONG WOMEN

Proceedings of a National Workshop
held on July 22-23, 1988, Antipolo,
Rizal, Philippines



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**Pilipinas for Education, Research, Law
Reform, Advocacy and Services
Foundation Inc. (PERLAS)
National Commission on Women (NCW)**

U.P. Legal Resources Center

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PROMOTION OF LEGAL LITERACY AMONG WOMEN

JULY 22 — 23, 1988
Assumption Retreat House, Antipolo, Rizal

ZENAIDA S. REYES

Editor

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FOREWORD

There are instances when people have been penalized for violation of laws or ordinances or even rules and regulations the existence of which they may not even been aware of. These occur because the legal presumption is that they know the laws, for the legal maxims — *ignorance of the law excuses no one*, is applied to everyone.

There is need, therefore, for every individual to have information about and acquaintance with the law which governs his/her relation with the State and other individuals therein.

However, it is the women, especially those in the rural areas, who needs awareness of the law, its implications, and how it can be enforced to protect their legal rights. The very minimal ways of legal information reaching these women should be maximized for them to attain such awareness.

This book on the proceedings of the "*Promotion of Legal Literacy Among Women*", a project of the Pilipinas for Education, Research, Law Reform, Advocacy and Service Foundation, Inc. (PERLAS), undertaken in cooperation with the UNDP-ESCAP, the National Commission on Women, and the U.P. Law Center seeks to introduce the women to the what, where, how and the various techniques and strategies of getting acquainted with the law.

It is hoped that the women will enthusiastically receive this book which may give them a heightened awareness of the law relevant to their every life.

To all those who have helped and contributed their expertise and assistance to make this seminar the success that it is, the PERLAS extends its sincere thanks and gratitude.

ZENAIDA S. REYES
Editor

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WELCOME REMARKS

ZENAIDA P. REYES*

I invite you to view the scenery overlooking this veranda, instantly you feel welcomed. I invite you to look around you, you see keen, warm, and interested faces, and immediately, you are at home. These are exactly the greetings of welcome that PERLAS would like to convey to each one of you.

Indeed, we feel honored by your presence today. The task ahead of us may seem unclear to some of us but it is clear that we share the same goal, the same concern - the upliftment of women's concerns. It is for this reason that on this first national workshop, we have chosen as participants a cross section of groups and entities whose area of programs are geared towards women's concerns. Our goal, as the theme of this workshop has pointed out, is the Promotion of Legal Literacy Among Women. A challenge is driven at the very core of our existence. Are we ready to take it?

From various parts of our countryside, our co-workers have joined us to share their experience in community works. To name a few, we have participants from Eastern Visayas, Mrs. Fe Geotina, of the KAPIHAN SA PILIPINAS, an information officer and herself active in working with streetchildren and the disabled; Mrs. Nancy Mirafuentes, of Pulso ng Kababaihan, who takes her teaching job and civic responsibility very seriously, as her contribution to sharing and developing the minds of the youth; Atty. Winnie Geonzon of Free Lava, whose faith has brought her many opportunities to serve the poor, and the indigents from Mindanao region, we have Atty. Rosalinda Montejo of the Davao Lady Lawyers Association, whose task is to make "law serve those who have less in life"; from Southern Luzon and the Bicol region, we have Dr. Victoria Enojado of the Pulso ng Kababaihan who combines teaching, civic work and community project to emphasize the effectiveness of women in community development; Mrs. Hedy Marin of National Manpower Youth Council, whose responsibility is to open the

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government program of livelihood, not only to the men folk but also to the womenfolk and interestingly to the R & R's (Rebel Returnees), and Atty. Rosario Torrecampo of the Circulo de Abogadas, whose main preoccupation is to serve the indigents through free legal information and counselling. Of course, from Malaysia, away from her task is executive director of the Asia Pacific Forum on Women, Law and Development (APFWLD), Atty. Emel Quintillan, a Filipina, who flew in for this session, and spend time to share her experience and work closely with the PERLAS in the task. I cannot name all the participants due to constraints of time, but we will get to know one another in due time. Our special guests will be appropriately introduced.

Suffice it to say, this project hopes to accomplish what our main sponsor, the UNDP-ESCAP, has laid out for us to wit:

“Our long-term goal: To increase general awareness of human rights and the legal status of women and encourage actions to eliminate discriminatory legal provisions against women in Asia and the Pacific.

Our short-term expectations: (i) develop a legal literacy programme for women at the national level; (ii) to promote guidelines on the development of a legal literacy programme for women in Asia; and (iii) to come up with provisions on legal assistance to women, especially among the poor.”

Two days may not be sufficient, but we have to make the first step to reach that goal and the time is now.

Thank you. Have a nice day.

KEYNOTE ADDRESS

IRENE R. CORTES*

It is a pleasure to address this workshop jointly sponsored by the Pilipinas for Education, Research, Law Reform, Advocacy and Service, Inc. with the acronym (PERLAS) and the National Commission on Women (NCW). It is my first meeting with the PERLAS but not with the Commission, my association with which has been long, happy and fruitful.

I am pleased to know that activities on legal literacy projects continue and that this workshop aims (1) to explore further the development of a program of legal literacy on the political, civil and family rights of women and (2) to come up with a survey of what is being done and how well the activities work.

With the multifarious problems confronting us today, it is significant that this concern for legal literacy should not only preserve but should also explore ways of assessing and enhancing the effectiveness of projects being undertaken. And for women, the explicit constitutional policy of ensuring them fundamental equality with men before the law underscores their need to know what this means to them.

There can be no doubt about the pervasive role of law in society. Article XIV, Section 3, par. 1 of the 1987 Constitution provides that "All educational institutions shall include the study of the Constitution as part of the curricula."

For the vast majority of the people, this mandate may have come too late. When they were in school there was no such requirement. They may never have heard of the Constitution, much less know its significance to them.

Yet the Constitution is the basic law which governs the relation of people to the government and to which all laws regulating people's relations with one another must conform.

* Associate Justice of the Supreme Court of the Republic of the Philippines.

As a basic law, the Constitution is no more than a framework — the enactments of the legislature, (the Congress of the Philippines) of provincial, city or municipal *sanggunians* — as they are now called, of countless administrative agencies and decisions of the Supreme Court implement or give body to that framework. The result is that, hardly any aspect of our day to day life is untouched by some law or regulation which binds us, affect our lives, our liberty and whatever there is of our property. It protects the unborn child and regulates the devolution of property of those who pass on.

Not infrequently when met with some particularly vexing problem, people exclaim - "There should be a law!" Very likely there is one already.

Let me give you concrete examples. Without going out of this room one can list down numerous laws and regulations affecting each of us. This morning we left our homes and our families to come to this opening workshop. The family is the subject of one whole Code which has just come into effect, the Family Code which took all of seven years to formulate and finalize. Its provisions govern marriage, legal separation, rights and obligations between husband and wife - property relations, the family, parents and filiation, parental authority, emancipation and age of majority. In coming over, traffic laws, those on the operation of public utilities, anti-pollution laws, to name a few, affected our journey. The manufacture and sale of what we each have on this morning from head to foot - cosmetics, clothes, shoes are the subject of statutes and regulations too numerous to list down.

Law is not an invention of lawyers. Humanity emerging from the rule of the jungle where might held sway, had to find the means to regulate the all too human tendency to use force to get what is wanted regardless of the weal of others. The highest aspiration of humankind is to see the day when the rule of law shall be supreme not only in the relations of individuals and groups but also among nations.

That may sound like a long way off, but we can start. But where? It has to be with ourselves.

One of the first things a law student learns is that there is not one single definition of law as a concept. But for purposes of our discussion of legal literacy, we may take law as binding rules promulgated as legislation, orders, or decrees coming from a source with authority to issue them or accepted as a result of continued customary usage.

This workshop on legal literacy aims at exploring ways of making women and men acquire some awareness of the law and the part it plays in their lives, to acquaint them with some basic knowledge of the law as it touches their day to day existence; some idea of what to do and where to go when confronted with problems that have to do with rights and obligations specifically in the fields of political, civil and family law.

About 12 years ago, some women belonging to a national grassroot organization approached me as dean of the U.P. College of Law and asked for a program which would give them some knowledge of law. This was a mixed group with an education level ranging from elementary school to college, of varying ages, some in their teens and others much older perhaps fifty and above. While the project was initiated by women, the men wanted to join and were accommodated. The pilot project was tried for three (3) years and when it proved feasible, it was suggested that the Law Center adopt it as part of the continuing legal education program. This was done and the program was expanded. What impact it has had so far is something that needs to be inquired into. I am happy to note that the sponsors of this workshop proposed to undertake the much needed study, to undertake a survey for the evaluation and assessment of these activities which the NGO's, the Commission and the Law Center have been engaged in for some time.

There is, however, no doubt that every person needs to know something of the law for the legal presumption is that he does. As the legal maxim goes, "*ignorantia legis neminem exusat*" (ignorance of the law excuses no one).

The need for information about and acquaintance with the law goes beyond the consideration of what a person have to answer for should that person violate some law and become

subject of its sanctions. For law is not intended to be used solely as a big stick to punish offenders. It is a means to achieve a better quality of life.

This workshop emphasizing political, civil and family rights of women covers a broad area.

In the political field, we have constitutional and statutory provisions on citizens' participation in the government. The citizen has to know what and how this participation can be translated to reality. This is a challenge which must be picked up particularly by exponents and champions of legal literacy.

Thus, in political law, it is essential for every citizen to realize that each has a stake in the government, and as often observed, people get the government they deserve, that powers of the government come from them and are exercised by representatives they choose. Therefore, in their choice of men and women for public office through the ballot, it is their duty to place only those who merit their trust in positions of power. Legal literacy in this field of law will therefore have to focus on the rights and duties of citizens respecting the exercise of suffrage as well as in encouraging those qualified to run for elective positions as well as to keep ever vigilant of the conduct of those in public office, for in the final analysis, public officials are accountable to people. Thus, the giving of votes for material consideration erode and defeat the effectiveness of these rights.

Closely related to and supportive of the rights of citizens' participation in government are the guarantees of freedom of speech, of the press, of association, peaceful assembly and to petition for redress of grievances embodied in the Bill of Rights of the 1987 Constitution and supplemented by statutes and ordinances. While not absolute, they operate as limitations on the exercise of the powers of the government.

Any project in legal literacy will have to translate in simple terms these and other guarantees of the Bill of Rights including those protecting citizens against unreasonable searches, issuance of the writ of *habeas corpus*, religious freedom, access to the courts and those pertaining to people facing criminal charges.

When we started the first legal literacy project, our principal problem was how to present the basic rights to the participants, in language and terms which could be easily understood and appreciated by them. One difficulty was to tap those who would carry out the project. The subjects to be discussed had to be drawn up from the lecturers and writers, the participants had to be identified and chosen, the logistics provided. Dr. Purificacion Quisumbing and Prof. Myrna S. Feliciano were there from the start and with the cooperation of the U.P. College of Law Center and members of the Integrated Bar of the Philippines, we drew up a panel of lecturers headed by former Justice J.B.L. Reyes to set the form for the workshop conducted in Pilipino. The only participation I did was to deliver the ceremonial opening session for the language barrier proved insuperable for me.

The format evolved through the years. Initially the idea was to train trainers to hold or echo seminars or workshops. The planning of the courses became more flexible, judging from the number and variety of sessions later held. I'm sure that there are among you, those who have more up-to-date information on how and what has been taking place after the initial project was introduced.

The subject, family law, is among those to be emphasized in the legal literacy program sought to be promoted. As earlier mentioned a new Code on Family Law has come to effect and this will most likely be the subject of information and legal literacy projects.

Whatever the area to be explored may be, it seems to me that legal literacy will have been achieved when the beneficiaries of the programs will have learned the basic concepts and internalized them.

Such projects do not aim at producing people learned in the law, just as a person who has learned to write does not become a writer. But the understanding obtained will become useful if it helps the beneficiaries to become better citizens, more aware of their rights and responsibilities, and better equipped to live in a society that observes the rule of law.

A PROPOSAL FOR AN EFFECTIVE LEGAL INFORMATION NETWORK

DR. GLORIA D. FELICIANO*

Introduction

Background and Justification

Legal information is the cornerstone of national legal policies and programs whether these deal with women legal literacy, legal rights of women, or with women's legal, and family rights, the objectives of this seminar. Legal information is the basis upon which legal policies and programs are initiated, formulated, made known to the people, made socially acceptable to them through mass information and education, implemented, continually updated and improved upon through monitoring and evaluation.¹

An overview of the status of legal information in the country may be gleaned from an evaluation study on development information clearinghouses in Singapore in the mid-sixties, and the following 1980 studies: 1) A Survey of Social Science Information Infrastructure in the Philippines commissioned by UNESCO, Division of Social Science in May 1980, 2) The Study of Clearinghouses done by ESCAP in September of the same year, and 3) The Population Information Network (ASEAN) Study approved in December 1980 and which is now in its ninth year, Phase IV of Project implementation.

* Professor of Communication, U.P., President and Board Chairman, International Social Research and Development Foundation, 207 Delta Building, West Avenue, Quezon City.

¹ Feliciano, Gloria D. "The Social Science Information Infrastructure in selected Asian Countries: A Situation Analysis", Division for the International Development of the Social Sciences, UNESCO, Paris, 5 May 1980, 62 pp.

_____, ASEAN Population Programme, "Developing and Strengthening Population Information Network in the ASEAN Sub-Region" Proceedings of the Experts AHPPS Singapore, 12 - 16 December 1980, pp 143-162.

_____, Towards the Establishment of Population Information Clearinghouses, Keynote address delivered at the ESCAP Conference in Clearinghouse Establishment, September 6-8, 1980, ESCAP, Bangkok, Thailand, 15 pp.

Some of the main study findings are:

- (1) An overload of remarkably disorganized legal information in the capital cities and an extreme underload of information from regional to village levels;
- (2) The low quality of legal information available marked by lack of accuracy, comprehensiveness, balanced treatment of subject, relevance, reliability, and credibility;
- (3) The marked lack of trained information staff in documentation² (Information Science) and networking who disseminate the legal information;
- (4) The lack of linkages, coordination or networking between and among the legal information producers, channels and users; what exist is a loose, informal and unsystematized grouping of information units with little or no coordination between and among them; and
- (5) The persistence of inefficient and ineffective traditional modes of disseminating legal information due to lack of modern communication technology such as computers and telecommunication facilities.

² Documentation is an information process which encompasses the following activities:

Information and data collection development (collection of secondary data, conduct of legal research to generate legal information and data development and production of print and broadcast information materials; data storage - in shelves or cabinets if network is manualized or in floppy disks to be fed into the computer, if the network is automated or computerized; data-processing - preparing indexes, abstracts, bibliographics, acquisition lists, reviews, data transformation, or repackaging data for various users' groups; data dissemination or distribution; utilization - use, at home or in office; various types for several users, e.g., from single sheet data for discussions (for policy makers, managers, executives, etc.) to research reports (for professionals, researchers, scientists, students), mass media materials (for general audience), etc.

Monitoring is the process of determining the progress of work of the information network unit members or the entire network in terms of the bibliographers' services rendered to its target clientele; whereas evaluation can be both process and terminal to determine progress in mid-stream and to ascertain the effectiveness of the services as a whole, respectively.

The above findings point to the need for establishing legal networks, clearinghouses or databanks whichever term is more acceptable to the legal community. Hence, this proposal to establish an effective legal information network.

Objectives

Based on the above research-based status of legal information in the country, this proposal will address itself to three specific objectives, namely:

(1) To strengthen the documentation functions of the legal information units listed above, i.e., data collection development, storage, processing, retrieval, dissemination, use, monitoring and evaluation;

(2) To develop coordination and networking/linkage mechanisms or systems³ between and among these legal information units and with non-legal and legal-related agencies; and

(3) To conduct training in both basic and advanced documentation and networking prior to the establishment of a national legal information network that is both efficient and effective in terms of meeting its objectives and goals.

Activities of Meet Objectives

The three specific objectives of this proposal require activities that are inter-related, inter-dependent and inter-lapping. The activities also need to be *joint, cooperative, collaborative,*

³ Coordinating or linking mechanisms are in the form of hardware and software. The former refers to the use of computer systems and the latter, would include News letters for exchange. Joint Bibliographics, Indices, Common Thesauri, collaborative consultative meetings held periodically, and simultaneous documentation work, on all the documentation aspects previously discussed. Another term for linking is networking which is the process of establishing the above working relationships that are formalized, structured and institutionalized as well as systematized and governed by final Memoranda of Agreement covering mutual roles, responsibilities, expectations and activities to avoid duplication of effort, thereby reducing wastage of human, material and financial resources.

and even, whenever appropriate, *synchronized* and *standardized*. For these reasons the following activities can be done simultaneously if resources warrant.

To meet the first objective, there is need for the following activities:

(a) Systematized collation of data that can be used for planning and the conduct of new activities such as training;

(b) Conduct of an inter-agency, inter-organizational, national-level planning meeting to draw up an action plan to strengthen documentation and networking;

(c) Conduct of research, both long-term and short-term, pilot or macro-level to generate legal information and data; and

(d) Collaboration of legal information units from the various legal information sources.⁴

To meet the second and third objectives, the following main activities need to be implemented:

(a) Planning the training in Basic and Advanced Documentation and Networking. This includes the preparation of training modules in all aspects of documentation and various forms of coordinating mechanisms;

(b) Conduct/implementation of each of the training modules in documentation or networking for the documentation and information specialists, information coordinators, data flow facilitators, abstractors, bibliographers, annotators, book reviewers, etc.;

⁴ These legal information sources include research/information/statistics units in the various government departments, other governmental institutions, private and public colleges and universities, private organizations and documentation centers.

(c) Summative or terminal evaluation of training effectiveness in terms of the extent to which the training objectives and goals are met; and

(d) Coordination with the non-legal and legal-related agencies, the establishment of which will contribute to the effective and efficient functioning of the national network.

The Project Time Frame

Assuming that the required funds are sufficient only for a short period of time, a three-year time frame would be adequate for completing the pre-establishment phase of the national legal information network. This would mean allocating the first 18 months for planning and implementing the training, research and development component of the Project; and, the last 18 months would cover the networking activities intra-country at national and sub-national levels — that is regional, provincial, municipal and barangay.

The Budgetary Requirements of the Proposed Network Project

Based on two decades of experience in conceptualizing, planning implementing and managing information networks at the national and regional levels (Singapore, Asia, ASEAN), the modest budget proposed for a manualized information network would be around ₱77,000 or US\$38,555.

If automated or computerized, an additional US\$38,555 (₱77,000) would be needed. The added costs would be utilized for computerization expenses, as follows: US\$25,000 for a computer set consisting of one main frame and 4 to 6 terminals with built-in free installation cost, free spare parts of the first year and a free computer training program for computer analysts, programmers, and operators.

The other items would defray expenses for personnel services (₱57,000), supplies and materials (₱10,000) and logistics (₱10,000). For pragmatic considerations, a 10% inflationary factor ought to be built into the budget because a request for additional funding in the course of implementation would be

both tedious and embarrassing. Time extensions without additional budget outlay are usually not met with resistance by the funding agency.

Lastly, to computerize the legal information network, an additional one to two years would be needed for the following activities: (a) development of standardized software to feed information to the computer, (b) linking of the hardware of computer terminals, which is an electronic engineering task, (c) selection and development of a focal point or center of the network, and (d) formulation of network guidelines for the efficient and effective management of the legal information network.

OPEN FORUM

Dr. Gloria Feliciano

Dr. Feliciano: I can answer your questions but I would not like to miss my two o'clock class.

Participant: So you can stay up to . . . Lunch time.

Prof. Feliciano: We have five minutes for the questions.

Moderator: It would be better for her to answer the questions now rather than rush Judge Elepano later. I think the lecture was very clear but you may have some questions precisely because it was very clear. There might be some things that you did not quite grasp well.

Dr. Quisumbing: Will Dr. Feliciano give us the pleasure of her presence at 8:30 tomorrow morning for the workshop?

Speaker: I will do my very best.

Moderator: Any other questions?

Speaker: Please do not fear nor be ashamed to ask questions. I am not a lawyer.

Moderator: Dr. Rikken.

Dr. Rikken: At the NCW we are looking for women like you, those with special thinking. I am sure you have your own support. What is the possibility of asking the Asian Development Bank to improve the data base of all line agencies connected to a center base so we would know how many women or men failed? Apparently there are so many technical questions there. For example, in conducting seminars they have to talk among themselves first. After which, they have to follow-up the seminars, how they can talk to the Non-governmental users and users from the government.

Dr. Feliciano: Thru channels.

Dr. Rikken: I would like to pick up your suggestion that this workshop be followed by another conference. Is it possible to have a one day seminar with around 30 women coming from the government? Would it be possible for Dr. Gloria Feliciano and another practitioner to come together and discuss how to talk to laymen. I consider myself a lay person when it comes to information network. I think the only best way to start thinking and planning big is to discuss the movements and how to conduct seminars and conference so that practitioners will have something to talk about and so that they themselves can arrange the number of meetings necessary for them to fix this and how they will talk to laymen or lay person.

Speaker: Thank you Madam Rikken. One of the outputs of our ASEAN network was a directory of persons experienced in networking. They are divided into information specialists, publications, audio-visual experts, statisticians programmers, software developers, hardware operators, etc. We can write and ask for their help and you can use me as your bridge.

Dr. Rikken: I was thinking more of Filipino practitioners' credibility.

Speaker: We can, because I forgot to tell you, we may be backward or behind our ASEAN brothers and sisters in the region when it comes to many things including our economies but when it comes to information, we are not behind. We have trained people, we have people who know how to repackage data and we have statisticians who know how to operate computers. Although merely vocational, we have so many training institutes on computer.

Dr. Rikken: A lot of non-governmental organizations are in the process of their data so it is about time that we talk about that too.

Dr. Feliciano: That is what I was referring to as coordination. We need to talk. In Indonesia you know how they do it? They meet at every level, national, regional, municipal, provincial and barangay.

Dr. Rikken: I am willing to state that the NCW will support the first conference of the practitioners. Our networking among non-governmental organizations can be or should be expired if there would be networking among the practitioners experts. Let us look at the problem of Davao group for example. They were given a free computer, but they cannot take it out from the pier because they are being charged P20,000 tax.

Participant: They said there was P55,000 cost increase.

Speaker: That is cheap already compared to our mini-frame nameplate for which we paid \$12,500.

Moderator: Can we have Justice Cortes?

Participant: The reason why we are asking this is: there are already first world women organizations who are asking for donations. They are willing to donate computers to non-governmental organizations but we should rationalize the aid I think we should have defined program. Otherwise everybody will act/buy on their own.

Speaker: We had to meet twice in that country just to decide on the criteria of what computers to buy. There were only five countries. You increase our bureaucracy five times over. Those two meetings were hardly enough to come up with a criteria because there is the willingness to spend. And then the compatibility factor is very hard to arrive at because we have to have software developer first who evident in will work on software compatibility so that it is not only software but likewise hardware.

Participant: I have an example here. Maryknoll has 60,000 women center here. And have support for clinic house.

Speaker: So ano na ngayon 'yung kanilang clinic house?

Participant: Mini center ho.

Speaker: We have these project on natural information network which link all resource centers all over the world. . . .

Speaker: With regards equipment population in the library, in region IV itself we have the Philippine General Hospital as a member. They want medical information. Actually not only population but population and development. Then we have the University of Northern Philippines in Ilocos Sur, the Isabel State Colleges in Isabela, the Research and Planning Center in Angeles City, Palawan State College in Puerto Princesa, the Regional Training and Research Center in Bicol University, Legaspi, the University of the Philippines in Visayas, Iloilo, the Office of Population Studies in the University of San Carlos, the Leyte State Colleges, the Ateneo de Zamboanga and the Ateneo de Xavier University in Cagayan de Oro City. These are our member institutions. How can we write them? When can we visit them? I will give you the coordinators in all of these institutions. You can write them or if you are travel-oriented, you can visit them and start talking about striving on the existing network. They have space, information specialist, collections and because our system there is so old already there already exists relationship with the government and the compressive law also.

Speaker: Population is related to women?

Participant: Yes.

Speaker: I think this is what we call dialoguing and that is already a established and existing method. We can bank on this method. You might want to talk to Father Balitero, Father Domiguer, President Bondoc or whoever is in charge of this. It is easier when you are within these universities. So open to information. But information might open the minds of people, and it might lead to rallies and demonstrations.

Moderator: Is there any other question? Since there is none then we would like to give our very dear Dr. Feliciano a warm round of applause.

(APPLAUSE)

- End -

SURVEY ON LEGAL AID CLINICS IN THE PHILIPPINES AND THEIR EFFECTIVENESS

ZENAIDA NECESITO ELEPAÑO*

Today, I am assigned to do a survey of Legal Aid Clinics in the Philippines and their effectiveness. I will start by recounting to you three actual cases where legal aid was sought for by three desperate individuals whose dire economic status prevented them from seeking the help of lawyers, but who upon learning that a free legal aid clinic was available to them, took courage to cry their hearts out on sympathetic legal shoulders.

Case 1: Anna Carmela, a pretty 22 year old housewife showed up one early afternoon at a Metro Manila Free Legal Aid Clinic, her arms bruised, her face swollen and an eyebrow cut with traces of dried blood. When asked what happened, she burst out crying, and became incoherent, so much so that I wondered whether she came to the right clinic, seeing that her injuries were yet untreated. I told her that maybe she should go to a medical clinic, but she shook her head, and in between her sobs, I gathered that she was beaten up again by her husband, a known drunkard in the neighborhood when she could not produce money for his liquor. This girl, I learned later, had been reduced to a virtual punching bag by this monster of a husband, and everytime she'd seek the help of the Barangay Captain and the Police, the same answer was given her - that they, meaning, the police authorities, could not interfere with a domestic problem. But this latest beating was the last straw, she said. She wanted to leave him, she wanted to know what her rights were, and she wanted to know where she stood. Do you want to file criminal charges against your husband for physical injuries? I asked her. No, she said. I just want to be left alone, in peace. Besides, she added, as soon as my husband becomes sober, he is the sweetest person ever.

* Presiding Judge, Branch 128, Regional Trial Court, Caloocan City

Case No. 2: A sixteen year old girl accompanied by her parents consulted a Legal Aid Clinic one day, claiming she had been raped by a classmate a week before, but they had no money to engage the services of a lawyer until they heard of the free legal services offered by a school near their residence. She wanted to know what to do or how to go about filing charges against the alleged rapist. The lawyers handling the clinic that day explained to her the nature of the crime, the steps involved in prosecuting the crime, the evidences needed and what to expect during the investigation and trial of the case. The girl and her parents listened intently and after the interview bade the lawyer goodbye even as they promised that they would proceed to a physician for the required medical examination, and that they would return. They never came back.

Case No. 3: A sixty five year old sampaguita vendor in Cubao, Aling Juana, sought the help of a Free Legal Aid Clinic in Manila to recover her rightful share of inheritance of five parcels of land of about five to ten hectares each from her sister in Siniloan, Laguna. According to her, about ten years ago, without her knowledge and consent, her sister forged her signature, mortgaged the lands to a third person and kept the proceeds of the loan for herself. Asked why it took her too long to decide to consult a lawyer, she said wide-eyed- oh no, the case is now in Court, but my lawyer withdrew last month because I could not pay him his fees anymore. The Legal Aid Clinic, however, could not accept the case, much as it wanted to, because of financial constraints. It had to refer Aling Juana to the CLAO of the Department of Justice.

In these three cases, we see some common characteristics. First, the applicants are indigents and they could not afford to engage the services of a lawyer, even if they needed one, and second, because of their poverty and ignorance of the law and the existence of Free Legal Aid Clinics, they could not immediately avail of whatever courses of action there were to resolve their problem.

In these cases, we also perceive certain attitudes: In the case of Anna Carmela, the reluctance of the wife to enforce her legal rights as a human being because the other party happened to be her husband. In the rape case, the decision not to pursue the case because of the shame, humiliation, and embarrassment the aggrieved party will be exposed to in the course of the proceedings, all these, aside from the difficulty/of proving the crime itself abetted by our existing laws on rape. In the third case, the perception that a lot of lawyers are out only to fleece their clients of money and would drop their cases midstreams if the clients cannot pay them their attorney's fees anymore.

These three cases are not exceptional. As a matter of fact, they happen everyday throughout the country; and considering that our country's population is nearing the 59 million mark, in addition to the fact that about 90 per cent of our people live below the poverty line, one shudders about just how many of our countrymen go through life-desperate, disillusioned, oppressed, helpless, and hopeless just because they are unprotected and defenseless where the enforcement of their rights are concerned, for the reason that they cannot afford lawyers.

The situation, however, is not at all bleak. Philippine Law is not wanting in the recognition of the need for free legal aid in the country. No less than the 1987 Constitution guarantees that "free access to the courts and quasi-judicial bodies shall not be denied to any person by reason of poverty". This can only be an extension of the social justice clause¹ of the same instrument which states, and we quote:

"Section 9. The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.

Section 10. The State shall promote social justice in all phases of national development.

¹ 1987 Phil. Const. Art. III, Section 11

Section 11. The State values the dignity of every human person and guarantees full respect for human rights."

In addition to this, and to uphold this policy the Constitution empowers the Supreme Court "to promulgate rules concerning the protection and enforcement of constitutional rights x x x and legal assistance to the underprivileged".²

It might interest you to note however that the concept and practice of free legal aid has been with us as early as the turn of this century. The Americans brought with them the idea of compulsory legal aid for persons charged with crime who could not afford to engage the services of a lawyer.³ Act No. 190 of 1901 vested in the Supreme Court and Courts of First Instance the obligation to assign any lawyer in a pending action, free of charge, if the Court finds that the litigant is destitute and that the services of counsel are necessary "to secure the ends of justice and protect the rights of the party".

Government offices led the way in providing free legal aid to the poor, so much so that as early as in 1916, Act No. 2657 created the office of Labor Attorney in the Bureau of Labor which rendered free legal aid for laborers and servants. Commonwealth Act No. 172 created the position of Public Defender in the Department of Labor and later on, Republic Act No. 3844 organized the BALA or Bureau of Agrarian Legal Assistance. In 1972, the Citizens Legal Aid Office was created by virtue of PD No. 1 and was placed under supervision of the Ministry (now Department) of Justice.

The first non-governmental organization to take up the challenge of free legal aid is the Women Lawyer's Association of the Philippines (WLAP) which established a free legal aid clinic in 1946. The U.P. Women Lawyers Circle (WILOCI) followed suit with the organization of its own clinic. The Sixties saw a host of organizations devoted to rendering free legal assistance to the poor. CLASP or Citizen's Legal Aid Society of the Philippines was established as an arm of the Philippine Bar Association. The Federation of Free Farmers and the Catholic Women's

² 1987 Phil. Constitution Art. VIII, Sec. 5

³ General Orders No. 58

League of the Philippines provided the much needed services although on a limited scale, probably due to financial constraints. But one should not also discount the free legal aid services rendered by lawyers as counsel *de officio* and in *pro bono* cases. On January 6, 1973, the Integrated Bar of the Philippines was established. One of its standing committees is the National Committee on Legal Aid committed to promote the establishment and efficient maintenance of chapter legal aid organizations suited to provide free legal aid service to those unable to pay for such services x x x.⁴

The imposition of Martial Law and its flagrant mockery of basic human rights in the 1970's and well into the first half of the 80's spawned a number of legal groups committed to provide free legal services to the impoverished, especially the victims of violations of human rights. Prominent among these were and still are, the Free Legal Assistance Group (FLAG), The Movement of Attorneys for Brotherhood Integrity and Nationalism, (Inc.) or MABINI, the Brotherhood of Nationalistic Involved and Free Attorneys to combat injustice and oppression (or BONIFACIO), the Bulacan Lawyers on Human Rights (or BLOHR) and the Task Force Detainees (TFD). Not to be outdone too were the legal services offered by the women lawyers groups like Federation Internacional de Abogadas (FIDA) and the Circulo de Abogadas (CIRDA) who embarked principally on legal counselling activities and legal literacy drives through the use of the radio. In the south, the Davao Lady Lawyers Association (DALLAS) is actively involved in free legal services, counselling and information dissemination. On November 25, 1983, Stop Trafficking of Pilipinas (STOP) was founded by seventeen women organizations, directed towards putting a stop to all forms of sexual exploitation of Filipino women and children. While these lawyer's groups took up the death defying challenges of the times, law schools in the country on the other hand, provided the steady and quiet, but reliable complement in terms of general legal services to the community. The office of Legal Aid of the University of the Philippines, the Adamson University College of Law, Ateneo University College of Law in Manila and Davao, the UST Free Legal Aid Clinic have been

⁴ IBP Guidelines, Art. VIII, Sec. 55.

established not only to provide the necessary practicum for their law students but also to render legal service free of charge to those who are in need of it. One must not forget though the services offered by religious organizations all over the country whose zealous commitment to help the poor has underlined their missionary activities.

We have been talking about the different organizations who have responded to the constitutional call to help the needy and provide them with the necessary legal services free of charge. It will not be amiss, however, if we take time out to discuss how these legal aid clinics function.

The late Chief Justice Roberto Concepcion who was the Chairman of the National Committee on Legal Aid of the Integrated Bar of the Philippines explains legal aid as any service rendered to inform, guide, advise or assist, represent or defend others in connection with his rights or obligations under the law, the course of action they may take to comply with law or avoid its violation, or to enforce their rights or secure redress of its infringements.⁵ He expounds on the concept by quoting the Guidelines of the *IBP National Committee on Legal Aid*:

“Legal Aid is not a matter of charity. It is a means for the correction of social unbalances that may and often do lead to injustice, for which reason, it is a public responsibility of the BAR. The Spirit of public service should, therefore, underlie all legal aid offices. The same should be so administered as to give maximum possible assistance to indigent and deserving members of the community in all cases, matters and situation in which legal aid may be necessary to forestall an injustice.”

Thus, legal aid clinics in the Philippines generally provide the same services i.e. legal counselling, appearances before judicial and quasi-judicial bodies, research, documentation and legal education. However, a number of these legal aid organizations specialize in certain cases like human rights violations, agrarian problems, squatterism, exploitation of women

⁵ 6 R., Concepcion, *Legal Aid - The Philippine Experience* Delivered at the Seminar on Legal Outreach on October 1, 1984 at the University of the Philippines, Quezon City.

and minors, labor problems, and the like, although this cannot be said of law schools maintaining their own clinics since one of the purposes of establishing the same is to provide law students a more comprehensive grasp of the practice of law, and hence, cannot afford to narrow its activity to just one aspect of human life.

And to move on to the question of just how effective are legal aid clinics in the Philippines today, this can perhaps be answered by first casting an eagle's eye on the number of legitimate legal aid clinics currently in existence and on free legal services offered by individuals and organizations on a more or less continuing basis. As of 1986,⁶ there were 49 privately organized legal aid clinics all over the country, a good number of them Metro Manila based, but with chapters or branches scattered all over the archipelago. The Integrated Bar of the Philippines has the widest field of operation in so far as this category is concerned. It has 93 offices under the supervision of the National Committee on Legal Aid.

On the other hand, there is the Citizens Legal Assistance Office (CLAO) under the Ministry of Justice which is considered "in the forefront of legal aid delivery program in providing free legal services to a greater mass of indigent citizenry in its all-encompassing role covering civil, criminal and administrative cases."⁷

The CLAO has a central office in Manila located at the Department of Justice at Padre Faura, 14 Regional Offices and about 130 District offices with about 456 lawyers serving. In 1986 the CLAO began assigning inquest teams to protect the rights of an indigent person under custodial interrogation. During the judicial reorganization in the early 1980's a total of 1,753 courts were established, which necessitated the assignment of more CLAO lawyers, under the so-called residency concept, where the CLAO lawyer is assigned to a particular sala to handle all *de officio* cases.

⁶ Legal Aid Directory of the Phils. by the U.P. WILOCI.

⁷ 8 Lagunzad Marcial, The CLAO as An Active partner in the realization of the meaning and Substance of the Right of Counsel. Seminar on Legal Outreach; The Asian Experience, 1984.

The general perception, therefore, is that our country does not want in free legal services, given the active and committed involvement of the government as well as non-government entities in this area. The legal aid services are available anytime and almost anywhere. It is possible, therefore, that the only deterrent to their not being availed of to their utmost is that a great segment of the populace is unaware of their existence because of lack of information, or if aware, is hesitant to seek help because of misconceptions, i.e., that the services rendered are not totally free of charge, or that the lawyers do not give as much attention and effort to these cases as they would to paying ones, or of deep seated suspicions that nothing is really given for free, and that there must be a catch somewhere, or that these people have simply lost faith in the Rule of Law and in the judicial process.

All too often have we heard of rural folk seeking the assistance of the Left whose type of justice is terrible but swift. Considering these factors, the desire of legal aid organizations to do more than the usual is frustrated in more ways than one. To get the total picture, we should throw in the many problems that beset them. For one, there is funding, which is the greatest headache of these organizations. While the services of the lawyers are offered free, still there are myriads of expenses to be met - documentation, court fees, transcripts of notes, transportation, food and lodging in out-of-town cases, to name a few; this is not to mention the overhead expenses in maintaining a legal aid clinic. Current political tensions do not help any. One reads about the spate of killings, tortures and disappearances of lawyers, human rights lawyers especially, not to mention their being branded once in a while as communists. Given these conditions, a lawyer thinks not only twice, but several times and deeply about being an advocate of free legal aid. Of primary concern too is that not all lawyers are imbued with the missionary zeal of community service. How many lawyers are there who would work for free at the expense of their own private practice? After a minimum of eight years of preparing to be a lawyer and the ordeal of a bar examination, one's head ought to be examined if he opts to practice for free. What I am trying to say is that lawyering for free nowadays has become the slave of convenience. And understandably so. As Atty.

Ponciano M. Mortera succinctly puts it, "a lawyer can only contribute so much of himself, of his service, and of his resource. Someone said that no individual should espouse the cause of justice if by so doing, he inflicts injustice on himself and his family. Neither may he establish or champion another's rights by tearing down his own means of livelihood."⁸

Lastly, there is perceived an inadequate, nay, a lack of linkage or referral system among legal aid clinics. Thus, one organization may be overburdened with cases while others enjoy a relatively free calendar, or one clinic specializing in an aspect of law is approached by applicants for aid with problems alien to the clinic's specialization, so much so that applicants are not serviced properly for lack of awareness as to whom to refer the case.

While indeed internal as well as external problems plague our free legal aid clinics, it cannot be said that they are not effective if one considers the obstacles that they have to contend with. It can be safely said that were it not for the existence of free legal clinics in our country, manned by tenacious selfless and dedicated lawyers, our people's faith in justice would have long ago completely eroded. But we cannot just sit back and relax in the knowledge that legal aid clinics in the Philippines are alive and well, for these cannot operate successfully without the constant support of all sectors of society - the government, the Church, the School, the Bench and Bar, and the community in general.

It is commendable, therefore, that the organizers and sponsors of this seminar are on the right track in support of the continued and successful operation of free legal aid clinics in the Philippines by embarking on a legal literacy drive for Filipino women. The effects of this program will certainly resolve a lot of problems facing free legal aid organizations especially where legal information and awareness of the citizenry is concerned.

Thank you and good day.

⁸ Mortera - The Mechanics and Administration of Legal Aid, IBP Journal, Vol. XIII, Nos. 1-2, 1985.

OPEN FORUM

Judge Zenaida Necesito Elepaño

Atty. Geonzon: I am representing the FREE LAVA, Free Legal Assistance Volunteers Association in Cebu City, a community based group composed of 26 organizations within Cebu doing the tri-angular approach of crime prevention, free legal aid, and rehabilitation of offenders.

Our legal activities consist mainly of assisting prisoners charged with political and common law crimes who are usual victims of violations of human rights, and defending cases that have something to do with social justice. We attend to these cases in our legal aid program. In Cebu, some clients, especially the prisoners and victims of violations of human rights do not have faith in the machinery of our government. They could go to government offices and ask for assistance, but they do not cooperate because some offices would merely refuse on the ground that they cannot cope up with their workload anymore. That is the problem of legal aid offices in the countryside. Clients cannot and refuse to go to the government. They would rather go to private offices like the FREE LAVA.

I would like to share with you an experience I had as a member of the FLAG or the Free Legal Assistance group. As a lawyer representing a victim in a murder case suddenly applied for a Passport to the States because he was given a death threat. He was given a black dress so his case was referred to us. Two weeks after we took over the case, the lawyer was killed. The client involved were detention prisoners so I had to handle the case. You see, I am the Executive Director of FREE LAVA and at the same time a legal aid lawyer. How can we help the government and the people at the same time to the end that legal aid offices would function well and ease the courts' backlog cases?

Judge Elepaño: This is a very tall order because it goes in the basic attitudes of the people, and, of course to the attitude of those who have sworn to defend these people.

Director Rikken: I think it would be better if we use the

phrase "service to others". The NGOs, especially women's groups could probably come together and start introducing the people to those who render services or accompany them to responsible civil servants. I mean dialogue between government employees and the people.

Judge Elepaño: I think one of the objectives of this seminar is to spread the information that there are still tried and true men and women dedicated to their profession and to community service.

The first project of the legal aid clinic at UST was Project HASIK in Tondo. To build a center for Tondo, the people contributed stones, woods and hollow blocks but when it was about to be inaugurated, the first gift they received was two (2) tattooed dead bodies. People in depressed areas harbor suspicions against outsiders. They think that whenever other people go to their place, the latter are out to oppress them and to take advantage of them. So, we have to develop and show sincerity though it would entail a long period of time. Until we are able to establish sincerity, I don't think we can expect full acceptance by the community.

Unknown: In our work, we see commitment but we could not assert ourselves in the midst of brutalities of men. So for all of us who disseminate the law, we should not only give them the law, but we should also educate them on what the law stand for. Do we have the means to disseminate information on their rights? Do we protect our women?

Judge Elepaño: That's a very good comment. The reason why I cited this case is precisely because I want to tickle your minds so that you would share with us your views on what can be done about the matter of "abuse of women".

Cirida: For the last 3 years, Circulo de Abogadas has been called a reference. We have an on-going radio of legal aid program. That is, we have a free line set for those who would like to send in questions. We usually reserve about 15 minutes for callers, and we answer their questions on the air. We assign people at the lobby of the radio station, tasked to distribute pamphlets, disseminate information like what to do, who to approach and what to bring, particularly papers. We find the

program very effective. On the matter of news Center linkage, I was wondering whether we could take advantage of the Archbishop Diocese. You see, when we were in the Taipeh, to attend the monthly conference of clergy, we were requested to give a copy of the Family Code with particular emphasis on the provisions of Marriage and Legal Separation. We were surprised that the priests were particularly interested on legal separation. What I mean at this point is, could we avail of the services of our priests to change the attitudes not just of women, but also the members of their community?

Unknown: I was listening to the questions and the lecture of Judge Elepaño. She was talking about free legal aid in the country. We are talking of legal literacy for women. Therefore there is bias in what we are talking about - women. It seems to me that most legal aid projects or clinics are aware of the needs of the poor but little orientation is given to the needs of women. We talk of cultural inhibitions that women have certain instances like in case of rape. I think in the area of law and development we have to formulate a framework which will analyze or indicate the problem and then look into the specific activities and seek for a solution. We could discuss the problem of culture, an area that we are now working on in Mindanao. Another problem is status structure. And then, finally we have the problem of very poor implementation policies.

Unknown: This is actually a take off from the comments of Oyeng and Remy. I belong to a group which we call Alternative Lawyers. Although we're not traditional law practitioners Oyeng said the problem is more on legal aid education. I noticed that legal aid and alternative legal aid groups are staffed with lawyers but most of the times, women issues are taken for granted. It is very difficult to talk to them about women issues. STOP for example, is experiencing the same problem. Most lawyers do not bother to explain to the client the rationale of the law. They do not try to break the barrier.

Unknown: I will delete the simantics so I will not waste time. I would just like to suggest that this group address the question of how to make clients less dependent on lawyers for legal issues.

Judge Elepaño: I hope that all the inputs and ideas raised today will be inputted into the workshop tomorrow. I would like to say that my lecture was more of a provocation than anything else — to stimulate you to think about the situation, the state-of-the-art, the ways and means by which the situation could be improved and probably to encourage you to prepare a long range program for the implementation of the recommendations.

Dr. Guisumbing: One of the issues that came out in the Consultation on Women, Law, Policy and Action, is the need to create images, the crying need to protect the reputation of the people, the lawyer and the para-legal who work in the area of legal aid. We don't give them enough importance and recognition. I think it would be better if we put honorable before their names. Dr. Feliciano for example gives titles to show importance and that is very good because it adds something to the image of these people, especially to those in our profession. Some people say that if a lawyer does not practice, there is a sign of incompetence. Some people even say that if you cannot practice - teach. I think we have to acknowledge and be very cautious of these messages. If we want to increase the number of people involved in the field of legal aid, we have to give this people importance. We have to give them seminars. I really hope that we put our minds and our money where it is needed most and where it counts.

Ms. Suarez: I was wondering if there are legal aid clinics which specialize in necessary services like health and financial problems.

Unknown: I think women clients are first attracted to female lawyers of the WILOCI and CIRDA. For example an aggrieved wife who would like to sue her husband would almost always look for a female lawyer. Given a choice between an IBP legal aid clinic manned by men lawyers and FIDA lawyer, chances are without second thoughts, she would opt for the lady lawyer.

Atty. Santos: A lady newscaster has thrown the very good question of whether there are available agencies which service those who want to avail of and are eagerly awaiting the effectivity of the Family Code.

Judge Elepaño: There are no legal aid clinics which specialize in particular areas of law. I think that question should be raised at the Workshop tomorrow, to the National Commission on Women and principally to PERLAS.

Unknown: There should be a clinic specializing on Family Law. Most of the problems on Family Law are not really legal anyway. A lot of the problems could be solved merely by counselling, conciliation and settlement.

Unknown: I just want to cite as an example the case of our bookkeepers. A house that is part of our office is used for counselling activities. We looked for a house where groups of women can meet. We went to all government offices. The proposed office of SSS is so far away so most of the women employees are talking to us. So we looked for an area. They don't want to stay in Pasay because apparently no one goes to Pasay anymore. It must be somewhere within the area of Quezon City.

I would like to respond also to the comment of Purin Quisumbing. When we trained women paramedics we made sure that they understood the essence of what it is being discussed. Eventually, they came to our (KKK) Kauna-Unahan Katiwala ng Kalusugan. I look forward therefore to having not only paramedics, but also para-legal women citizens who are really KKK.

Dr. Quisumbing: We are fortunate to have with us today the presidents of 2 women lawyers associations. The President of WILOCI and also the President of CIRDA. One of the problems of legal aid clinics is that their resources are very limited. Maybe, NCW could organize a meeting of all women lawyer associations and rationalize among themselves the specialization they would like to have. This way we can help each other perform in the kind of service we ought to deliver.

Unknown: Puring mentioned that WILOCI had been hard-focused looking for a project that is not so expensive. We are glad to report that we are now organizing some sort of a seminar where the idea is like this: Instead of asking several companies for donations, we are asking for participants. We tell them the

we have a battery of speakers on legal literacy so we need an audience. You send people but you have to contribute for food for a whole day seminar. I talked with several companies and I said that the food for one whole day is ₱100.00 per person. So, if you can give me two thousand pesos (₱2,000.00), you are entitled to send 20 people - and the response is incredible. One company head said "I would like an in-house. I would like you to come over and lecture to all of my high management, middle management and rank and file level employees, primarily on the Family code, a topic that most of them are interested in." This is going to be implemented in August.

The second topic they are interested in is the 1987 Constitution. So, these 2 are our regular topics. I just want to share with you how surprised I was and how eager they were to attend especially when they are not asked to give a donation. You are just saying that all you need is people, and that the lecturers are not receiving honoraria.

Unknown: Most of these employees are girls. There are lawyers holding administrative positions and those who appear at trials and hearings. The possibility is, they would also need additional training and seminars. There is a need to educate them further.

Ms. Suarez: That is the idea. Maybe we can offer informative seminars to companies which need trainers and advisers on Family Law. In fact, I was suggesting that they send executives but they prefer to educate the rank and file first. But the problem is we cannot go into labor because we might be misconstrued as agitators. Maybe some organizations can take care of that.

Unknown: We're wondering why sometimes women know what we can get out of the law. I mean, we know our rights. Maybe those who know labor can meet together and improve the already outmoded life and rights of women.

Ms. Suarez: Let us form a Committee and make an inventory of the law. Let us work closely with the UP Law Center about this. I'd like to inform you that PERLAS is trying to get funds to conduct a seminar centered on 3 issues: sexual harrassment,

equal opportunity and family violence. So, these are the aspects.

Dr. Rikken: I think the symmetrics on the board are self-explanatory. The problem has to be located, where is the problem? Or is it the substance, the structure, the court system the levery system in the courts, or is it the implementation? Maybe the law and the structure are good but the problem is in the implementation. And maybe you know the other problems already. The problems, the examples given earlier, a victim of rape or victim of domestic violence the problem there is culture. Therefore, the activity responses will differ.

Prof. Serreno: One of my fields of interest is Indigenous Law. I claim to be an expert on the Family Code although I am still learning. One of the projects we are handling right now is a project to study indigenous systems of conflict arbitration and rule-laying down. We are concentrating in the Kalinga regions system of vesting authority on persons. Who are the recognized authorities in the Community? How do they administer justice? How do they find out which substance of law which corresponds to a particular situation? What are the penalties? A supported conclusion nowadays is that Filipinos are more apt to the conciliatory systems of justice. You will hear that conciliation of justice is working effectively for them. The problem in this indigenous system in the administration of justice right now is integration.

The topic we are concerned with is the legal literacy among women. I think we should not look at this in a one way process - we should impart to them western concerned values. What we have to assert is that we have are very much concerned and oriented and the legal structures that we have are very colonial in origin. So we have to consider at the same time a system of getting feedbacks from the grassroots level. The ordinary concept that I see is that communities are so archaic, and are so rooted in the mental concept of what Indians or minorities are. For all we know, the indigenous Tagalog, indigenous Pampanga and all clans in the clan system already have a system of adjudicating disputes. For example, under our present system, we do not settle murders, but you will find out that in some areas clans among clans settle problems, like physical injuries and

even murders. So, it has to be a 2-way process. We spell the right arm — but because of the flexibility which the Constitution allows us we envisioned that we will ultimately recognize sub-system of indigenous laws, which will work and which will bring us nearer and nearer to the heart of the people.

SURVEY OF AVAILABLE LEGAL INFORMATION PROGRAMS FORMAL AND INFORMAL

DR. PURIFICACION VALERA QUISUMBING

I am fully convinced that the promotion of legal literacy can and will make the difference between a society that is democratic and one that is not. Those of us who have been in this "business" for some time do believe that legal literacy results in "empowerment" of the human individual. This means many things to different persons, but to the ordinary person it means access to real choices in life, access to justice, the end of undue pressures and influences, indeed the end of all kinds of tyranny.

For this reason I congratulate the sponsors of this National Workshop on the "Promotion of Legal Literacy Among Women" — ESCAP, PERLAS, the National Commission on Women, the U.P. Legal Resources Center, and the Asia Foundation. No effort is ever enough in responding to the crying need for an adequate, effective and accessible program to help empower every human person to the end that he or she may develop to his fullest potential. It is this production of these individuals that can move society forward.

If today we focus on legal literacy for women, it is because we understand and take note of the reality that women of the Philippines, as elsewhere, continue to be disadvantaged in so many ways, so much so, that the 1987 Constitution has to unequivocally state what should be self-evident: that the State shall see to the equality of men and women under the law.

By way of introducing my topic — legal information programs — permit me to briefly speak of my experiences in promoting legal literacy. When I started to write this paper, upon the ever so gentle persuasion of Director Myrna Feliciano, I asked myself what expertise I had to offer on the subject. I then realized that what started as an accidental involvement in 1972 has become a passionate affair, so to speak, in a span of more than 15 years. A timely warning to the novice in this conference — promoting legal literacy is highly addictive, perhaps because it is timely and of great relevance.

I was a political science professor at the University of the East in 1972 when I found myself elected legal counsel of a militant U.E. Faculty Association. Two years later, I became President of this 1200-strong union of individualistic academics. Typically, the faculty were highly opinionated about many issues but sadly ignorant of pertinent laws and regulations governing their terms and conditions of employment and had very little idea of how to get redress for their grievances. In fact, many had not read their contracts with the University. We (myself included) were highly educated but functionally illiterate in the area of labor relations. Thus, we were under the mercy of the university administrators and management.

My first lesson: empowerment must be relevant. That is, it must be empowerment where it counts. It might be interesting for us to note here that though more than half of the union members were female, I was the first woman legal counsel and the first woman president in the 12-year existence of the union. Management had to make some adjustments; sitting across a female union boss at the negotiating table was a new and somewhat unsettling experience. I understand, for example, that many preliminary agreements on difficult issues were reached during back-slopping, beer-drinking sessions between management and union top negotiators. This venue for compromise was no longer available. The traditional "signing bonus" offered to union officials who facilitate the concluding of a collective bargaining agreement (CBA) was no longer offered because Management was not sure how the womendominated Board would react.

Lesson No.: There are many non-legal aspects of legal literacy which are crucial to the appreciation of some situations. Being female is a vital factor which can be either negative or positive. The proverbial female's sixth sense can come in handy but there is no substitute for hard-nosed, hard work and hard data.

Lesson No. 3: As union boss you face two main fronts, that is, Management on one hand, and the rank and file on the other. At times it seemed that Management was the less difficult front because the battle lines were fairly well defined. The bulk of our union work centered on the vigilant protection of the rights and privileges of each and every member,

including non-members under the concept of agency. But how do you protect teachers under the mantle of labor laws and regulations when teachers themselves could not accept their status as "workers?" Through dialogues and indirect legal literacy activities we attempted to convince the teachers that there was nothing degrading about having labor laws and regulations apply to them, particularly when these were more favorable than those enforced by the Department of Education, Culture and Sports and the Civil Service Commission. Which brings us to Lesson No. 4: know that it is not the illiterate that is difficult to educate; it is the highly educated.

I joined the Law Center in 1976 thinking I would be working on labor law. I found myself assigned to the then dubious work on human rights (I remind you, this was under martial law rule) and popularizing the law. Director Froilan M. Bacuñgan asked me to prepare a handbook on human rights and the law, and together with Dr. S. P. Lopez we published a book entitled "Human Rights in the Philippines: An Unassembled Symposium." In this publication, we gathered perceptions of people from all walks of life whose candid responses to five questions included how they saw the effect of martial law on human rights of Filipinos. We also conducted seminars for teachers on the teaching of the 1973 Constitution at which we spoke of human rights euphemistically in terms of the Bill of Rights. It was during these activities that we became ever more convinced that indeed educating for a democratic way of life is an absolute necessity.

From all these I learned my Lesson No. 5: Motherhood and democracy have something in common—instinct draws you to it, but only instruction helps you get the most and the best of it.

Now, to the question "Why legal literacy?" we must answer that according to the Constitution sovereignty resides in the people of the Philippines and *all* government authority emanates from them. Following this logic, we the people must be legally literate otherwise we are governed by fools and illiterates—though one sometimes wonders if in fact we are not.

I. Some Terms of Reference

I am asked to speak on a "Survey of Available Legal Information Programs, both Formal and Informal." I regret I am unable to comply, in a strict sense, that is. There was simply no time, no resources nor logistics to conduct a survey. So my first recommendation comes easily: May the National Commission on Women please conduct one soon.

We all know what legal information means but allow me to clarify how it is used in the context of this paper. Legal information program refers only to any sustained activity involving teaching about, researching on and otherwise disseminating knowledge and skills relating to law. Broadly speaking "law" includes legislation, administrative rules and regulations, judicial decisions, international agreements, ordinances, and of course the fundamental law of the land, the Philippine Constitution. It encompasses collective bargaining agreements and contracts which are law between contracting parties. The activity is a program when it is sustained over a period of time rather than merely incidental or isolated. However, incidental or isolated legal information activity may also become an informal program when it is attached, though peripherally to some other main thrust or concern of an association or institution. I am personally not so clear when a program is formal or non-formal. So I leave this for discussion later - should we find that these labels serve a useful purpose.

In the context of this seminar, we have excluded formal legal education in law schools though we have included some non-traditional legal education activities of some schools. We likewise do not touch on programs which have for their main purpose legal advocacy since the paper of Judge Zenaida Eli-paño deals on a survey of legal aid programs. I must admit the inherent difficulty in putting these related activities in neat compartments. For example, FLAG (Free Legal Assistance Group) aims primarily at extending free legal assistance to the poor, the oppressed and the dispossessed. But part of their strategy is to disseminate legal information so they have produced valuable legal primers for various sectors. Necessarily, there are overlaps in the coverage of our papers and discussions.

For the remaining portion of my presentation, I would like to do the following: (a) give a profile of legal information programs for women based on available data; (b) attempt to present an inventory of legal information needs; (c) match existing programs and identified needs to see areas of congruence or incongruence; and (d) identify gaps and suggest some guidelines in the formulation of a national agenda for legal information with special relevance to women concerns.

II. Sources of Data

In the absence of primary data, I have used existing compilations on legal information programs. I listed them here so you may avail of them. They are extremely useful although some very badly require updating.

Legal Aid Directory of the Philippines, 1986. - Prepared and compiled by Director Myrna S. Feliciano and Atty. Angelica Hernandez under the sponsorship of the WILOCI (U.P. Women Lawyers' Circle), this little book was to carry the message to every hamlet in the Philippines that "equal access to the courts and 'equal protection of the law' are constitutional guarantees in this land." It contains information about 49 legal aid programs and how to gain access to these.

I have used this directory as a source book on legal information for women, in particular.

Directory of Women's Organizations in the Philippines, 1985. Published by the Bureau of Women and Minors, Ministry of Labor and Employment, this directory is a compilation of information concerning the various activities of 91 organizations in the Philippines. It has two (2) parts—the first lists 69 women's organizations/agencies which have projects for women.

From this I culled and identified women's organizations and agencies/institutions which conduct legal information activities or programs.

Results of a *Survey Questionnaire* administered by Atty. Marilyn Cepe for the National Commission on Women's National Consultation on Women, Law, Policy and Action in 1987. These were useful in identifying the areas of law which were

perceived by women to have relevance in their lives. It also contained some suggested strategies used by individuals and organizations working on women and law.

I had access to some of the materials published by the *Women's Resource and Research Center*, Maryknoll College.

I have liberally drawn from materials prepared by the U.P. Law Complex, including:

Teaching Practical Law: Focus on Human Rights, 1983. Prepared and edited by Dr. P.V.- Quisumbing and Dr. Lydia N. Agno, this contained conceptual papers on teaching Practical Law, sample lessons on human rights, children's perspectives on human rights, and reference materials on human rights.

Teaching Practical Law, Level 1, 1987. Compiled and edited by Quisumbing and Agno, this is a first of its kind teaching and learning kit designed for use by teachers and pupils in the elementary school. It contains lesson plans on human rights, family law, access to justice, common offenses, consumerism, environment and government.

Finally, I used the papers and proceedings of the *National Consultation on Women, Law, Policy and Action* held first in 21-22 January, 1987 and later on 20-22 March, 1987. These were invaluable in identifying the problem areas where law, policy and action are most needed to improve the status and condition of women. I may be biased being one of the convenors, but I still think that that consultation was one of the most productive and most satisfying conferences on women that I have ever attended.

These proceedings and papers are available in mimeographed and rather "raw" form. My second recommendation to the NCW: edit the materials for printing and dissemination. Some are perfect for packaging into policy papers.

III. *Available Legal Information Programs: Some General Trends and Observations*

From the above sources, I have made a listing of organizations and agencies as well as institutions which claim to have or to have had a legal information activity or program. The list is appended to this paper for your ready reference. What might be useful for our discussion is to analyze what this list tells us, as to the nature of the organization or institution or agency; the focus or thrust of its legal information program, and its target audience or clientele.

From the 69 women's organizations listed in the Bureau of Women and Minors (BWM) Directory, we found 14 which included among their activities a program or activity on the generation or dissemination of legal information. And of the 22 government and private organizations/agencies which have projects for women three had legal information activities.

In addition, there were 11 institutions/agencies/organizations with legal information-related activities as these were described in the Legal Assistance Directory of the WILOCI.

This makes for 28 programs on legal information for the entire Philippines - as we have thus far identified. This information or data must be evaluated against the following caveat: the sources are secondary; there was no attempt to verify the information as to accuracy, as to the quality and consistency of the activity, and as to the present status; the criteria used to select those to be included in this listing were arbitrary and mechanical, that is, merely by the appearance of certain key terms such as legal information, training, research, legal information dissemination, etc.

This information also does not include any of the women's studies programs or centers which have been established by some colleges and universities, notably, the Maryknoll College, Philippine Women's University and the University of the Philippines. It also does not reflect the existence of some women's organizations with specialized concerns, such as the Institute for Social Sciences and Action (ISSA) which conducts programs on Law and Women's Rights, Health Care Foundation

POPULARIZING THE LAW PROGRAM

(See published write-up and matrix, Appendix "C")

Present publications: Teaching Practical Law; Focus on Human Rights, 1983; Teaching Practical Law Level I, 1987.

LEGAL EDUCATION AND INFORMATION PROGRAM of the WILOCI

The WILOCI effort to promote legal literacy through sustained legal education and information program resulted in the publication of two issues of its *Justice Comics* and the *Legal Assistance Directory*. The *Justice Comics* was conceived as an entertaining device to acquaint grass-root audience with the procedural and substantive aspects of law as it affects them. The story lines and anecdotes contain "legal messages" in three areas: Family Law, Rights of Workers, and Barangay Justice with the procedural aspects woven in. These are printed in Filipino, Cebuano, and Ilocano.

LEGAL RESOURCES IN THE PROVINCES - a project of the Integrated Bar of the Philippines, this was designed to create accessible depositories of legal and law-related materials in various provincial centers all over the country.

V. Towards A National Agenda For Legal Information

I mentioned earlier about the National Consultation on Women, Law, Policy and Action which was conducted in January and March 1987 by the National Commission on Women in cooperation with the UP Law Complex, Sentro ng Batas Pangkalo, and Pilipina Legal Resources Center. These intensive sessions produced some invaluable information on the law related needs of women in six areas: Family and Children; Sex-Related Offenses; Health; Education; Media, Art and Culture. The problem areas and issues were derived from incisive discussions of the realities in sectors of society. The existing laws, rules and regulations were then examined and evaluated in relation to their responsiveness or relevance to the situation. And from these recommendations on strategies and action programs were drawn up from broad-based consensus of the multisectoral, multi-disciplinary participants.

It is my sincere hope that the information and insights, conclusions and recommendations for an action plan contained in the proceedings of this National Consultation be disseminated systematically as part of a sustained effort to shape and forge an effective, accessible and sustainable national legal information program for, of, and by women in the Philippines.

Specific Recommendations:

1. Clarify terms of reference, advocacy, information, etc.
2. Develop guidelines for legal information programs, particularly on:
 - (a) value orientation and behavior changes - are these the objectives?
 - (b) balancing positive and negative messages about the legal system and institutions - be careful not to undermine the system; but be sure not to "indoctrinate. Encourage a "questioning" approach.
 - (c) gender-consciousness; empowerment-oriented.
 - (d) net-working structured
 - (e) cost-effective, viable, specialization
 - (f) two-way process of learning-trainor and trainee
3. Identify centers for legal information training for, of, and by women.

Use optimally existing institutions, such:

- (a) UP Law Center's Continuing Legal Education Division (why not a Continuing Women's Legal Education Program.
- (b) Commission on Human Rights, etc.

4. Include "lobbying" and "law reform" activities in legal information program so as to complete the circle of legal education in participatory democracy.

APPENDIX "A"

Institutions/Agencies/Organizations with Legal Information Activities

(As listed in the Legal Aid Directory of the Philippines, 1986
Those included in the BWM list are no longer listed here.)

1. **BATAS (Sentro ng Batas Pangtao)**

Works with grassroots organizations; provides linkage between grassroots organizations involved in participation among the rural poor on the one hand, and lawyers or law-oriented professionals on the other. Areas of concern include the legal problems of tribal communities, small farmers and fishermen, migrant workers and the urban poor.

2. **FREE LEGAL ASSISTANCE GROUP (FLAG)**

Fosters respect for and observance of constitutional rights and the Rule of Law.

Publishes Primers including: Legal Rights of Students, Political Detention and Related Human Rights Violations in the Philippines - Causes, Limits and Remedies; Paralegal Craftmanship; Your Human Rights; Ang Inyong Mga Karapatan; Ang Inyong Mga Tawha-nong Katungod.

3. **FREE LEGAL ASSISTANCE OFFICE (FLAO)**

Ministry of Labor and Employment

Objective: to make available to every worker from all walks of life free legal assistance as well as informa-

tion and/or advise vis-a-vis their rights under existing labor laws and social legislation.

4. FREE LEGAL ASSISTANCE VOLUNTEERS ASSOCIATION, INC. (FREE LAVA)

Conduct crime prevention activities in slum areas and other sectoral groups through para-legal seminars, information drives, dialogues, civic assistance or spiritual activities.

5. LEGAL AID AND HUMAN RIGHTS INSTITUTE FOR MINDANAO OF THE IBP DAVAO DEL SUR CHAPTER (LAHRIM)

LAHRIM has a public service component consisting of a radio program in local dialect designed to inform the public of its rights under the law, litigation for human rights, and consumer cases.

6. LEGAL ASSISTANCE FOR WORKERS (LAWS)

Litigation and consultancy, Development Education and Research, and other extension services for the labor sector.

7. PARALEGAL TRAINING AND SERVICES CENTER (PTSC)

Conduct seminars for Paralegal Training for the sectoral groups and organizations. The seminar curriculum is designed to equip the sectoral organizers with basic paralegal skills and fundamental rudiments of the law.

8. PARTICIPATORY RESEARCH AND ORGANIZATION OF COMMUNITIES THROUGH EDUCATION AND SELF-HELP, INC. (PROCESS)

Develop its Legal Resources Development Program; Design of specific paralegal training programs aimed at developing "folk catalyst" skills when and how to use the law and specific legal strategies.

9. TASK FORCE DETAINEES - PHILIPPINES (TFDP)

Gather and publish data of people detained, disseminate the information for public consumption, and seek ways to alleviate the plights of detainees and their families.

10. UNIVERSITY OF MINDANAO REFERRAL CENTER - DXMC

A program in the field of human rights and social justice which is administered by radio station DXMC as the Referral Center secretariat thru its program Dangpanan. It promotes the rights and welfare of such organizations of security guards, barbers and taxi drivers.

11. U.P. PARALEGAL VOLUNTEER ORGANIZATION

Skills training program for paralegals.

12. NATIONAL FEDERATION OF WOMEN'S CLUBS (NFWC)

Consumer education through seminars.

13. PILIPINA - ANG KILUSAN NG KABABAIHANG PILIPINO

Consciousness-raising activities (through orientation seminars, symposia, consciousness-raising groups (CRG) on various issues related to women.

Mobilizing legal resources for women.

14. STOP TRAFFICKING OF PILIPINAS (STOP)

Conduct seminars to groups/organizations and get them with a definite commitment to a specific campaign activity.

Promulgate and enforce stricter laws to indict the offenders (sic) and exploiters of women as well as the protection of such women.

15. TRADE UNION CONGRESS OF THE PHILIPPINES (TUCP)
DEPARTMENT OF WOMEN

Education Program to raise the level of consciousness of women on their status and role. Emphasis is given on labor education and leadership training of women workers.

Affirmative Action Program to eliminate discrimination against women and promote equal opportunities for women and men.

Monitoring of Legislation affecting women.

Information dissemination program such as study tours to enhance the awareness of women trade union leaders to learn about the activities of government agencies involved in the advancement of the status of women in the country.

16. UP WOMEN LAWYERS' CIRCLE (WILOCI)

Free legal aid and consultation.

Symposia on events of national concern.

Legal assistance program thru the publication of Legal Assistance Directory.

Legal information drive thru the publication of Justice Comics.

17. WOMEN LAWYERS ASSOCIATION OF THE
PHILIPPINES (WLAP)

Free legal services to indigents. Free legal counseling assistance.

18. YOUNG WOMEN'S CHRISTIAN ASSOCIATION (YWCA) OF
THE PHILIPPINES

Promote educational programs on the role, rights and responsibilities of women.

Organizations/Agencies with Projects on Women

19. BUREAU OF WOMEN AND MINORS (BWM) - DOLE

Standards-setting including formulation of policies relating to working women and youth.

Conduct of researches on women and young workers.

Information dissemination through publication and documentation.

BWM Primer.

"Ayon sa Batas" - This is a radio program being broadcast in coordination with the Federation International De Abogadas (FIDA) to reach more Clientele particularly those in the remote areas.

Special Projects in the Pilot Working Youth Center in Sapang Palay -

Conduct seminars on topics such as the Labor Code, social legislations, population education and family planning, etc.

Free legal aid through the Citizen's Legal Assistance Office (CLAO)

20. TAHANAN OUTREACH PROJECT AND SERVICES, INC. (TOPS)

Conduct of sessions on Spiritual Dimensions/ Value formation with emphasis on: CONCEPTS OF JUSTICE.

21. U.P. INSTITUTE OF INDUSTRIAL RELATIONS (IIR)

Project Study on the "Training on Labor Laws and Legislation on Women Workers"

APPENDIX "B"**Women's Organizations in the Philippines
Listing Legal Information Activities**

(As listed in the Directory of Women's Organizations in the Philippines, BWM, 1985)

1. Catholic Women's League (CWL)

Service Program—legal aid clinics

2. Civic Assembly of Women of the Philippines (CAWP)

Campaign against exploitation of women and minors particularly in entertainment, media, domestic employment and tourism.

Hold workshops or round-table discussions inviting concerned groups and individuals to arrive at a consensus as basis for - official action by CAWP.

Information education campaign — to create awareness on consumerism.

hold training seminars for agencies of consumers; organize consumer groups

Consumer protection through legal measures - urge the enforcement of government existing laws and the enactment of new ones to protect the consumer while benefiting industry.

3. DCI WOMEN LAWYERS CLUB

Conduct symposiums on rights and responsibilities of women in the Philippines.

Conduct trisectoral symposiums on consumer education and protection so that women especially housewives may be able to protect themselves from unscrupulous traders.

Extend legal service to women and children.

Educate the electorate esp. women of their rights and obligations to enable them to vote wisely and freely.

4. FEDERACION INTERNACIONAL DE ABOGADAS (FIDA)
PHILIPPINE CHAPTER

Radio Program on Legal Education every Saturday at 9-10 P.M.

5. HARRIS MEMORIAL COLLEGE - DEVELOPMENT CENTER
FOR WOMEN

Establishment of an Ecumenical Legal Aid Center for Women.

Seminars on women's rights.

6. KATIPUNAN NG BAGONG PILIPINA (KBP)

Production of educational kits, materials and newsletter called "Ang Bagong Pilipina."

Conducting survey on the status of women (rural and urban women) to be reported in NGO Forum which will be held (sic) in July — Nairobi and in the preparation for the UN Review for the Decade of Women.

Involvement in different campaigns against child prostitution, trafficking and exploitation of women and minors.

Involvement in political activities like elections, referendum, etc.

7. LEAGUE OF WOMEN VOTERS OF THE PHILIPPINES

Information Dissemination and Education Programs
Series of symposia on the rights and duties of citizens and the electoral process under the 1978 Election code and other election laws.

Educational campaign on women's rights and responsibilities in Philippine society.

Consumer education and protection — to enlighten the Filipino women on their rights and obligations.

Manpower development — specially for women to upgrade their qualifications and enable them to secure jobs or improve their present jobs.

U.P. LAW CENTER'S POPLAW PROGRAM

By

Purificacion V. Quisumbing

ACTIVITIES	DESCRIPTION/ OBJECTIVES	TARGET AUDIENCE NETWORK	OUTPUT IMPLEMENTORS
1) Barangay Legal Educational Seminars (BLES)	Raising consciousness leaders	Local & grassroots	Local Governments
2) BLES Echo Seminars	Raising consciousness		
3) PRACTICAL LAW	School curriculum/value and behavior orientation	Teachers/trainors School Children Out of School Youth	UPIS DECS Radio-TV
4) LEGAL EDUCATION Through Mass Media			
5) Research Law Complex			
6) Legal Resources for POPLaw			IBP WILOCI

GUIDELINES FOR THE FORMULATION OF A CURRICULUM ON THE LEGAL RIGHTS OF WOMEN

MARIA LUISA DORONILLA*

Good afternoon, I would like to inform this body that first I am a legal illiterate although I have lived with a lawyer for 23 years. So, between my literacy in education and Dr. Quisumbing's literacy in law I hope that we will be able to come to some understanding of what popular legal education means from the standpoint of an educator. So you will find nothing about legal rights in my talk. You will find in my talk instead, everything that I know about popular education. That is precisely the reason why I was very glad to listen to Dr. Quisumbing. This KABAPA kind of education is the one I am interested in. In fact, we have worked in this area for the last 6 years thru an education forum.

The conceptual framework that I wish to impart is one that has been withdrawn from sociology, social psychology, education and my practice in popular education. I hope my lecture will be clear to you. So, I will be talking of the kind of education that was suggested by Dr. Quisumbing. How do we get to the grassroots? You asked me to speak on Guidelines for the Formulation of a Curriculum on the Legal Rights of Women. But I find that I cannot deal with this topic immediately without giving some conceptual framework of what education means, particularly popular education.

I have an outline of what I will discuss in this talk. It is very badly typed because I did it myself so you will probably have to strain your eyes a little bit. Maybe the secretariat can re-type it late on. But, for purposes of this lecture this discussion, I think this will suffice. You will notice that I intend to develop four (4) major issues.

The first topic is knowledge which is a current issue in the area of education. The second topic is socialization. The third

* Professor, U.P. College of Education.

topic is popular education and fourth is curriculum development and evaluation.

What do we understand, in this particular framework, of knowledge. I will begin by talking about self and the other. Self contains the world and some of us talk about it in terms of consciousness. Some of us talk about it in terms of everyday ideas, beliefs, values and feelings or a person's experience with the outside world. The totality of these is what we call the self which I refer to in the outline as the subjective world of an individual. In the course of living, a person interacts with various things and I call this the other and I refer to that as the objective world. When I talk about the objective world I am talking about other persons, things, institutions, etc. In short, other refers to those things that are outside the world of an individual. So we make a distinction between the subjective world of an individual contained in itself in the form of consciousness and the objective world of an individual which is of course outside of this.

In psychology we are told that this self develops consciousness by means of relating what he knows about himself with what he knows about others. The cognitive structure of individuals, if you are able to look at the minds of people, is not made up of discreet items like this. It looks like a structure we call *schima* and the action of the mind on the perceptions that his senses make of the outside world and of himself. What becomes of it is a structure of relationships. It is important in education because when a new thing is introduced into the *schima* of a person's consciousness, that thing is either forgotten or included. How does it get included? It gets included when an individual is able to relate that additional new knowledge into his *schima*. Sometimes you will find that it is formulated and if he is unable to put that anywhere in relation to the other things that are already there then that is forgotten. What I'm trying to say is it is very important to know what is already inside an individual in order for us to be able to show what kinds of relationship this individual could develop so that the new things that we want him to learn would be integrated into the existing *schima* or cognitive structures. So what happens is what a person experiences in that world is a progressive approximation between what he thinks and not what the other

world, the objective world is like. Those who are unable to make this progressive approximation become what you might call schizophrenic who are out of this world. They are out of this world precisely because what is inside their head or his self has no relation to what is going on outside of him.

In the course of experiencing the world, the person develops his self and this self is usually, according to George Server made up of two types: the first type is what he calls, the I, and the second type is what he calls, the me. In dialectical relations with each other, the I is the more active part of the self. For example, I can understand Dr. Quisumbing although I am not a lawyer. This is the active part of the self. I can do this. And when we talk of empowerment we are saying that it is the I part of the self that we portray. But there is of course the other side of self which is the me. And the me is composed of all the other things and this is the more positive part. For example as teachers of popular educators, we begin from the assumption that only lawyers can understand the law. I will have to seek the assistance of a lawyer because it is impossible for me to understand law. But of course sometimes I can understand. That is the me. Very often, in our type of society, we have a leader who will tell us what to do. We get lawyers to solve our cases for us. Even if the I is in power, I will still understand so I can still do something about myself. This is also very important in case of women relationships. The me and the woman in the definition that the man has given to women. The woman says I must cook, I must wash, I must take care of the children and I must also take care of my man. When he comes home, even if I'm very tired, I must give him his slippers and even if he comes home at 2: o'clock in the morning, I must fix his food.

Why is it that it is always the women who do the dirty work? For those of us who are career women and whose I have not yet surfaced it is always a question of I'll do everything that is contained in the me; meaning cook and wash. But on top of this I'd like to do what I really want to do which makes me superwoman and a neurotic. It also has a bearing on our understanding of how we empower women in their understanding of the law. How do we empower women in their understanding? What in the law encourages women to remain me instead of I? That is also a question that you should ask insofar as legal rights of women are concerned. Somebody was

talking about the definition of proper role insofar as women are concerned. I think you know better about this. What I'm trying to say is the self can either be I or me. Perhaps one of the major objectives of legal information should be to discuss this issue, to empower the person to understand the law so that he can use it to protect himself and to become a real person because the law allows it.

How does the self develop? This is my second topic—socialization. This is a very simple concept and I'm sure that all of you know it already so I'll just talk about it briefly.

Self is never formed in a vacuum. It is always formed in relation to an outside world. So, in the learning of the goals which of course becomes part and parcel of the self it is always necessary for that role to be learned within an institution. For example, you cannot learn the role of being a member of the family if you are not operating within a family. In short, there should be a relation between role learning and the institution within which roles are learned. You cannot learn to be a student or to take the role of a student if you are not in a school. What I'm trying to say here is that when we, as popular educators, begin to look at our participants and before we think of developing a curriculum we always examine first. *Sino itong mga tao na papasok dito sa aking legal information/popular education program?* They are the selves with their specific suggestive worlds formed within the institution. You could apply this understanding when you are talking to rural women who have no outside means of income. You would notice that they have a kind of education with career women who are more independent.

The definition of a woman-of how or what she is or what her role is is always taken from the context of the kind of institution in which she is in. We are told, although I'm not very sure about this, that women in the Philippines are more independent than other women because they hold the money. I don't know if we have enough empirical data to really say that that is true. Because if it is true that the women more or less holds some power within the family - How come we also have cases of wife beating? And you will notice that most these cases. I'm sure your legal education program will range from family relations or actual relations with institutions. So we

always ask, how do we develop the self of our participants. It is very difficult to empower women to prefer being treated like doormats and to socialize because the thinking is that the proper role of a woman is that of the doormat. What I'm trying to say is we have to consider that different participants or different clientele need different kinds of programs. If you confront them, they will just say "Talagang ganoon eh". It would then be hard to change their attitude. The law tells us one thing but what the law says and her relationship with the husband are two different words. But again, supposed this woman says "eh, talagang ganoon yon". So the first thing that we have to impart to them is, *hindi yon talagang ganoon*. When the law says it is like this we have to read the law and as Dr. Quisumbing said, you have to have a dialogue with your participants. Dialogue is very important because the first thing that we ought to know is - Ano bang laman nito? Because it might happen that intervention will prove unnecessary anymore. Intervention might turn out to be prejudicial to the participants. This is Women education. We have to inform them of their rights.

The role of an educator, particularly in popular education, is to decide what the objectives are. It is very important that we be sure of our objectives. What we want is simply to reproduce the selves of people in the present generation to the next generation—to provide transport. It is also a matter of decisions because some lawyers are talking about present laws that are prejudicial to women. What is the objective of this program? Objectives should be clear. One possible objective is to find the laws that will justify the existing relations. All laws of existing relations and conditions. Question both the situation and the law that it takes to produce that relation. So again when thinking about socialization, the view of many scholars is that socialization is essentially a restrictive process, "*truulit lang*" but I think what this group should do is to make some kind of intervention not only in the understanding of the law and in the revision of laws but also in changes in the situation of women because that is the more important thing.

So now we go to the question of popular education. I think you can see from what I have been trying to say that before we even think of making a curriculum we should study this first. Self and society must be the general context of the educating

process. The law codifies a particular social order. It is up to our legal friends to decide whether some parts of the law must be recodified to help change the situation because the law no longer responds to the social situations. On the other hand we should be critical about the situation and hope that the law will help obtain the particular situation of women that we want.

Before I go to C-Principles let us first clarify what our objectives are when we decide a particular program. This is the principle of popular education for transformation. If there are certain objectives that are reproductive in character we don't need educational intervention for anymore. What I'm trying to say is if there some aspects in the situation of women in the Philippines which you think have to be maintained you need an education program that will maintain itself because the orientation of a social system is always to reproduce itself. In popular education therefore, we have to look for things that need to be changed like: first, there might be a misunderstanding of the law or second, the law reenforces an unjust social situation particularly for women in this particular case. If I may borrow Zaides' Principles of Popular Education for Transformation. First, an educator takes a position. That is different from saying that we are going to brain wash. It is just that when you engage in the process of educational intervention you should have a clear view of what you want to happen. What the objectives of this seminar are and what the objectives of these lessons are. There is already a direction in the curriculum as to what the developer wants to say.

Relevant education means talking about issues of importance. Dr. Quisumbing talked about this earlier when she referred to the experience of KABAPA where participants surfaced their problems and the facilitators were quick enough to catch the problems from which they based their program. This is the most meaningful kind of educational program because it get its input not only from what the curriculum development wants to do but also from the issues and real problems that participants have. This is of course common sense but sometimes we forget it. Even if we have the knowledge of legal rights in our head already and even if you say that everyone must learn the law if to the participants, the law is of no importance because they see no problems about the law, they will merely say, "Irrelevant sa akin yan." Wala naman akong problemang

ganyan." It is another matter when the curriculum developer says these women need to develop their consciousness in this area. That is a different but a difficult thing to do.

The third is related to the second. Popular education is a problem causing education but it is the most meaningful kind of education because the participants could immediately relate it to their own life situations.

The fourth, dialogue, is an essential aspect of popular education. From experience, before we even build a curriculum for any group of people, we begin with a dialogue so that one can see what the problems are and because one should know what the relation of this problem is to the legal order. It is for you to say that for example, the area of speech should be tackled.

The fifth, education process, requires both reflection and action. I want to stress the action part because I don't think it would be of any use to people who refuse to face reality. They are not going to do something about whatever bothers them. What is its use? It's only in the head.

The sixth, popular education for transformation, involves world community. This was the experience of KABAPA discussed earlier, talked about women organization. Working together in the process of transforming the quality of life of the person involved. In such a case, the woman lead the community and the society but the focus of this principle is the participative communal nature of learning.

The seventh, popular education to transformation, is only valid when carried out with people and not the people. That is the reason why it is very important to have a dialogue with the people on what they need, what they want and what their problems are before we even say that something is good for them. Of course they'll probably listen to you if you pay their transportation, snacks, and meals. But then what good is it?

I want to introduce you to the vocabulary of educators before we talk of the curriculum contents. When we talk about pedagogy, we talk about process by which contents will be

delivered. When we talk about evaluation, we talk about how much has been transferred.

The assumption I am using behind this whole framework is different from the old assumption of educators that the mind of a person is a blank sheet of paper which teachers like to guide. Psychologists believed that people come to an education program with their knowledge, with their own understanding about what is right and what is wrong. So that between the curriculum and the knowledge that a participant brings is the process where we find out whether or not he learned. This is what we want to measure when we evaluate the word "process." We evaluate what they encounter between what the curriculum wants and what the participants bring to the program.

I want to go now to Curriculum Development and Evaluation. After the dialogue with your prospective participants, you will now be able to determine the scope of the program that you will present which depends on the identified problems, their situations and what the facilitators say, the participants need additionally. In short it is a double-input process from the participants and from the evaluator. It means we should go to the field prepared for anything.

As we develop curricula for different groups, we begin more or less to have sense - "Ah, yang mga rural women usually ganito ang mga problema niyan. Yung urban poor at and career women ganito ang problema niyan." We learn this kind of education over the years thru experience. So we face the group bearing in mind what they probably need. When we talk of scope in the process of dialogue, we talk of situations and needed interventions in terms of legal education. Sequencing is a matter of logic and logic must not come only from the facilitator but also from the participants. They will merely say - "Hindi na namin kailangan yan. Naintindihan na namin yan. Let's move on to the next topic."

We shall now proceed to determining the contents, process and guidelines in evaluating the contents and process. I have a set of criteria at the next page, some sort of a guideline that perhaps you may want to look at when you make a program. But before we look at this I would like to share with you an experience I had with a group of *Dumagats* in Infanta.

The group wanted to set up a school for adults and children but they didn't want to have a teacher from the *lowlands*. They wanted their own teachers who came from their various literacy programs. They have been able to produce 9 teachers from their own settlement who knew how to read and write. Their average education attainment was Grade 5. So we are working with them on two (2) areas. First, helping them to develop a curriculum and second, teaching them how to be teachers. We believed that thru popular education, this people can teach any adult who knows how to read and write and with proper disposition and goodwill can be taught how to teach. We did not need professional degrees for education. So how did we do the curriculum? First, we talked about their situation thru a dialogue. Then, we talked about their dreams and what kind of community life they wanted to have. And from this we identified four (4) themes. First, conservation of land or how to make land more productive, how to measure land and how to differentiate between a title and a scrap of paper. You see, according to them, whenever a Tagalog or any person from Manila sees a productive piece of land, they will go to the Dumagat occupying the land and say, "Here is my title. Please vacate that land." Sometimes they will just exchange one (1) hectare of cleared land for a "kawali." You see, these Dumagats need utensils which they can carry with them from one place to another because they move around. Second, "kalinisan, kalusugan at wastong pagkain." Their diseases are caused by poor personal hygiene. So we introduce courses thru which they would learn how to make instead of buying, soap. Third, on "Kulturang Dumagat" where they compose and write down their songs, dances and their stories. Fourth, how to live together in communal life. It was a facilitator's training so we thought that these people must understand the whole logic of the curriculum. If you're going to have trainor's training or a facilitator's training you cannot do this all by yourselves. I don't think there are enough women lawyers in the country to promote popular education. So we must have modules to help non-lawyers develop curricula on legal rights of women. Even if it involves a very *slow* process, as long as our facilitators know the logic of the curriculum, "okay lang yon."

First, it is important that you know what the nature of the objective world is. In terms of by what process is this objective world defined and presented. When we talk about dialogue -

"Ano ba ang buhay ninyo dito?" How does your husband treat you? Of course there's a more delicate or subtle way of asking a question. If you want to talk about family relations, it is important that we know what the nature of such objective world is and their relations in the household.

Second, is this world related to the subjective worlds of the participants? In classroom discussions and other activities, you should encourage participants to contribute or share their experiences that may be related to the objective world as defined in the curriculum.

Third, is it an accurate and complete description or does it show the interrelatedness of the various aspects of this objective world? I thin it should be made clear through dialogue with women that the more economically independent they are, the more able they will be to make decisions for themselves about their own personal lives. I don't know whether this is what we want to happen. This is a question that you must discuss.

The other thing that I am thinking of is, given the high rate of broken marriages among people aged 25 to 35 this must be balanced with the question - How do you prioritize? Our orientation is on independence so what happens to family life? This is a valid question that must be considered when you talk about family law.

In the process of learning about this objective world, the participant acquires skills of critical and logical analysis. This is very important when you want a dialogue on problem-solving.

Fourth is Contents. Does it help the students or participants understand the present situation about their community?

In the process of looking at this objective world, the participants are led to accept that this is not an unchanging world and she is capable of giving change. This is where they have to make decisions on what aspects must be reproduced and which aspect must be transformed for the objective setting of the curriculum.

OPEN FORUM

Dr. Maria Luisa C. Doronilla

Moderator:

May we invite questions and/or suggestions? Zeny.

Zeny: You mentioned that if "I and the me" are together, they are both developed.

Answer: I was only talking about neurotics in the context of women who like to do everything all by themselves. In "I and me", both are always with us because I cannot imagine a woman or anyself that is aggressive all the time. That person will die in no time at all and become a raging mania. The point is "the me" that is why you say never mind. Sometimes this cannot be done though it has to be understood. It is always there in us. There are some who have more of "the I" than others though. Zeny made a very good comment. The problem with filipina women is that we act like superwomen. We do too much. We are overworked, you get cranky you get compulsions of your gifts. You overuse yourself because you want to be both a very me and on top of that you put the I.

Prof. Doronilla: Is there a provision on the new family law that helps to balance off the situation? Is there a provision there that helps redress the situation?

Prof. Sereno: Yes.

Prof. Doronilla: What does the provision say?

Prof. Sereno: The duties of household management are both shared by the husband and the wife.

Prof. Doronilla: What are the sanctions? It is a law then there must be sanctions.

Prof. Sereno: When there is a problem between the spouses, when it comes to administration of property, it is the husband's

decision which will prevail without, however, foreclosing the resorts of the wife to go to the courts. In fact, there is a criticism that the family is now made up of the husband, the wife and the court.

Dr. Eduardo: I think the law gives both the husband and the wife the right to take care of the home and discipline the children.

Dr. Enojado from Naga City (Pulso ng Kababaihan): I think we also have to consider the Filipino values. You will notice that even though there exists such a sanction or law to protect women from abuse of men at home and even though we know the law, there are still so many submissive women among us. They refuse to protect themselves because their values and morals are still strong. They know that they have the right but they love their work so they allow themselves to be dominated by their husbands. We, therefore, need to educate our people. We have to clarify their values and know where they stand. Do we really want to be liberated from the household chores that are always put into our roles? For example, when a child makes mistakes or abuses or becomes a delinquent, the father will ask the child, "Is that what your mother taught you"? Even the community blames the woman but seldom the man. I think we really have to have a valid clarification on that point.

Participant: I find the topic very interesting. While I was listening to the lecture my mind wondered to my little experience. One of the reasons why children go to jail is because of weakening family structure. In the cases I handled I find that the number one reason why children ran away from home is because they want to get away from the beatings of their parents. They see that there is no more love among the members of the family. While we want to assert our rights are we not inviting our children to run away from our homes?

Prof. Doronilla: The law, as I understand it, gives people certain powers to assert themselves.

There now develops some sense of independence and assertiveness among women. On the other hand, values still exists. So I think a dialogue should be had by you and your participants. What is your orientation? If we contend, I don't

know if this is exactly correct in all cases that the reason for delinquencies is the absence of the mother, I repeat, I do not know if that is the reason. It is also the case that children become delinquent in some cases because the father does not share in parenting. What does the law say about the sharing of parenting? That question is bogging me. What if the man refuses to perform parenting? What are the sanctions? I would like to know the sanctions because my husband for 24 years never washed dishes.

Participant: The management of the household is both a duty and an obligation of the husband and the wife. If the husband refuses to comply with his duty, there is a law which says family conflicts shall be settled by the provision of courts.

Dir. Rikken: I think we have to talk in terms of movement. From an individual consciousness we have to go into collective consciousness. I remember that last month, the contribution of Public Forum to the women's month was to invite newly-wed couples with this kind of relationship. I remember that all the men, all the husbands answered "I help wash the clothes and cook the food but I wash the clothes inside the house. You see our neighbors are unprepared to see these things". This second comment was made by a Canadian woman in the NCW. She made a study of all battered women centers in Canada and the U.S. and her conclusion was compared to the number of battered women from that of men, the number of these centers doesn't really answer the need so that started the proliferation of these centers. So they are beginning to see that the answer is really to start grouping with some of the more enlightened men. We plan to do that also because part of the comment on our strategy is that we always talk first to the women. I said that is only the case. We have to get a general case. We have to pick the more enlightened men to begin the men's movement. I think we should start doing that now. I think it is only men who can really talk to men about why men battered women. I think the answers, although we probably would need to have shelters to battered women, are still unresolved. We really have to have media with a lot of public consciousness and at the same time we have to start getting women tog either in a more collective movement.

Prof. Doronilla: An important thing that came to me is that the program could not be designed yet. Legal rights of women must be built with the men. You must organize the men to understand this. This is the case where the law, the codification of the social order, has ran ahead but the social order is recalcitrant. This movement is included in the question — “How do we dissociate the structural relation between men and women redefine so that the law will have meaning? Is it possible to eliminate sanctions?”

Prof. Serreno: What is the primary legal function? What will be the action? Not specific performance. The court cannot compare this to contracts.

Dir. Rikkens: For the first time I had to present the budget of the NCW in Congress. Our budget is P 5 million plus. This is the average for the last 10 yrs. I came prepared with my transparencies but I was not even allowed to open my mouth. While coming into their office, they said “Oh, here’s our favorite commission. How are you, Director Rikken? ”As soon as I sat down they said, “your budget has been approved”. I was not asked anything and it as so insulting you know. I had my transparencies with me and my people were carrying the overhead projector. That’s the kind of treatment we get from Congress. My beautiful staff, my beautiful ladies never get rattled but for the first time they went marching out of that room angrier than me. I was just shocked, we culled the journals of the institution, the myth about women, what the 44 men were saying about women in this country is unbelievable. This is supposed to be the enlightened 50 who framed our Constitution. They would not have passed that sentence of the Constitution that says equality of the law if the 6 did not threaten to walk out. We were asking for socio-economic, political and cultural equality including family life but what we got was inequality in law. So we have a long way to go and I think basically the reason why we have to use law is that we can always say “The law says so”.

Participant: Cory Aquino signed that law because she knew she had sons-in-law.

Participant: I agree with you.

Moderator: One last question please.

Participant: This is just a rejoinder. The public and private schools now in our education are starting to offer home management for both boys and girls. Some sort of household course. To make boys realize that when they become mature enough to be a family man they have a duty to be a part of the household.

Participant: I think that's a very important point. This is a 10 year old or 12 year old program in the U.P. Integrated School. Both boys and girls go to the same practical arts program. In fact, in some years, we have contests where boys get the top places in embroidery. This is really part of consciousness formation. There is nothing effeminate in that. I think what is basic is what Remy is going to do — a redefinition of roles. Social structure has contained the old definition of roles of men and women. What we want to do is to help redefine those roles. Education can of course, do a lot there.

Moderator: The last two (2) talks have been very fruitful and it has gotten all of us very agitated. I think that is good for tomorrow's workshop. We will have a lot of inputs.

TOWARDS A MASTER PLAN FOR A LEGAL LITERACY PROGRAM FOR WOMEN IN THE PHILIPPINES

JOSEFINA R. CORTES *

My assignment for this Seminar-Workshop according to Prof. M. Feliciano's letter dated 14 June 1988, is to prepare a paper on the topic, "Criteria to be Considered Towards the Development of A Master Plan for A Legal Literacy Program" specifically addressed to women's political, civil, and economic rights, and general welfare. In preparing this paper I took note of the fact that the participants in this workshop will come from various sectors - government agencies, NGOs, academe and women lawyers. I proceeded therefore on the assumption that most of the participants, if not all, have some experience in preparing plans/programs as well as in program implementation. Thus, I decided to discuss in this paper a general framework for developing a social action plan or program covering two aspects, namely: Planning & Programming Concepts and The Planning Process, focusing on the criteria or guidelines to be observed at every step of the planning process and developing a program.

Planning and Programming Concepts

Plans and programs differ only in the broadness of their goals. A plan represents a goal broader and more global than a program. In fact, programs and projects are operationalizations of a plan goal, although a project corresponds to a more specific objective than program.

Preparing a plan, program or project involves a logical and sequential process that starts with goal formulation and goal clarification, followed by determining the course of action deemed necessary to attain a valued goal. This process involves making a set of decisions about what is to be accomplished (goals),

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what resources are required, how much time is needed to complete the activities and what performance criteria are expected of each activity.

The outcome of a planning or programming process is the plan document or blueprint for action.

There are several misconceptions or myths about planning or programming, the most common being that planning is a strictly rational, autonomous and technocratic activity. Nothing is farther from the truth. Planning is a social process. As such it requires cooperation among those involved in and affected by the plan, diagnosis and understanding of the context in which it is carried out and wherein the plan is to be implemented. As a social process, planning or programming derives its legitimacy by addressing itself to existing social concerns or problems. While programs/plans may be initiated by the planners on the basis of their perceptions of a social problem, such perceptions could be based on incomplete information.

It is important that the choice of a social concern or social problem as the object of planning should take into account not just the planners' perceptions of a social problem but also the perceptions, resources, competencies, and values of those who will implement the plan and its targeted population or beneficiaries.

Planning or programming is primarily aimed at increasing the probability of attaining a valued or desired goal or objective. This valued goal or objective represents a situation considered to be an improvement over the present which has been judged to be unsatisfactory. Accordingly, those concerned and affected by this particular situation have collectively decided to move towards a more satisfactory and desirable state. To ensure that this desirable future condition can be attained, a systematic means-end analysis (planning) must be carried out and finally a blueprint for action (a plan) must be adopted and resources for its implementation must be made available.

The Planning Process and the Criteria to be Observed at Every Step

The sequential steps in the planning process is shown in Figure 1. It will be noted that every step in the planning process requires decision making which must be based on valid and reliable data and information. Figure 1 indicates that the decision to plan comes after the planning arena or social concern has been identified or chosen. This workshop, for example, has identified the area of legal literacy as the planning arena and the broad or global goal is to provide a legal literacy program for women. In order to develop a master plan based on this broad goal, the succeeding steps must have to be completed. At every step, the needed data/information must be collected or produced.

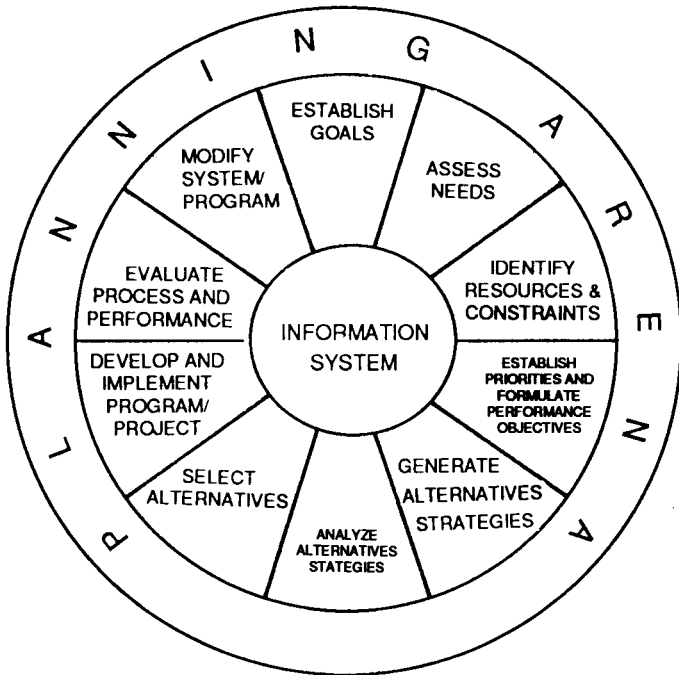
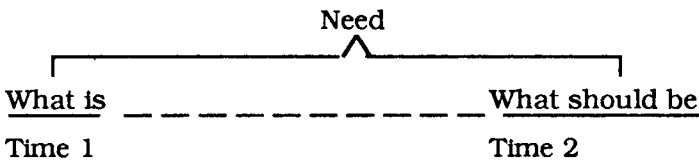


FIGURE 1. THE PLANNING PROCESS

As shown in Figure 1, the first step in the planning process is the determination and establishment of a plan goal or goals in relation to a social concern or social problem that has been chosen as the object of planning or planning arena. A plan goal is oftentimes stated in global terms. In order to translate the plan goal into specific objectives, the problem has to be adequately described in terms of its nature, extent and the population affected by it. This is done through a needs assessment.

The second step in the planning process is needs assessment. What is a "need" and what is "needs assessment"? A need is defined as the observable and measurable discrepancy or gap distance between "what is" and "what should be". "Assessment" means determining which needs are deserving of immediate attention based on their importance in attaining the plan goal. The identified needs, ordered or prioritized according to their importance, are not the solution to the whys or hows of a situation, rather it is the observable gap between *what exists* and *what should exist* as indicated by the plan goal, or it is the distance between *where we are now* and *where we want to be* through the plan that is being proposed. To illustrate this concept.



Needs assessment is not possible without information about *what is* a *what should be*. The information should include both empirical (factual) and qualitative (perceptual) data. What information should be collected, how this information will be collected, organized and processed is determined by the participants in the planning process based on what is required to fully document the extent of the problem. Information may be obtained from completed research studies relevant to the problem, from persons knowledgeable about the problem, and through public hearings and surveys.

On the problem of legal literacy, for example, a needs assessment should produce a situationer on the status of legal

literacy, particularly among women in the Philippines, a list of identified needs and ranking of these needs in terms of their importance by the planners, plan implementors and target beneficiaries or target population.

Needs assessment can be a long and tedious process but it cannot be dispensed with if the plan and programs are to attain a measure of success.

The following information relevant to the goal of making Filipino women legally literate may be obtained through a needs assessment:

- 1) Statistics showing the level of legal literacy among Filipino women by region, educational attainment, marital status, occupation and ethnic affiliation.
- 2) Effect of different levels of legal literacy on women's educational, occupational and political aspirations and expectations.
- 3) Existing legal literacy programs in the Philippines.
- 4) Sources and modes of legal literacy learning availed of by women in the Philippines.
- 5) Strengthens and weaknesses of present legal literacy programs.
- 6) Extent and coverage of existing legal literacy programs.

A need or needs provide the basis for formulating performance objectives which in turn suggest the activities (programs or projects) that have to be undertaken in order to realize the plan goal (s). For example if the identified need is to raise the level of legal literacy from a low level to a high level, the goal or objective may be stated thus - To raise the legal literacy rate from this year's 20% of the total women population age 10 years and above to 50% within a period of three years starting in 1988 or to increase the legal literacy rate by 30% (50%-20%). The problem therefore is how to attain this goal or objective.

The third step in the planning process is the determination of resources and constraints to the attainment of goals and objectives. Resources refer to money, personnel and materials required in order to carry out or implement activities necessary to attain the specified goals and objectives. Constraints are stumbling blocks to goals or objectives attainment. The sources of constraints may arise from people, materials, technology and structure related to the program. Examples are: inadequacy of funds, delay in release of funds and procurement of materials, resistance or negative attitudes of people involved in the program, etc.

The fourth step in the planning process deals with a careful consideration of the results of the needs assessment and resources and constraints identification. Both serve as the bases for deciding which needs are to be addressed by programs and projects that are to be pursued under the plan. These needs are also the basis for formulating the performance objectives for the corresponding program or project.

The fifth step, sixth step and seventh step in the planning process pertain to the consideration, analysis and selection of alternative strategies. For example, if the performance objective is to increase the proportion of legally literate women to 50% of the total Filipino female population age 10-years and above by 1991 compared to, let us assume 20% of the total female population in 1988, would a legal literacy program via radio be more effective and efficient than organizing legal literacy classes in certain strategic places in the different regions? A benefit-cost or cost-effectiveness analysis may have to be utilized in order to decide on the strategy to adopt.

A strategy and program differ only in specificity. Both should provide a description of the following:

- a) Activities to be carried out to attain the goal (s) /objectives.
- b) Time schedule
- c) Resources and funding requirement
- d) Funding sources
- e) Monitoring and control procedures
- f) Structural and organizational chart

Once the strategy has been chosen, the next logical step would be designing the program and the mechanism for implementation or producing the program document. The implementation of the program then follows. This corresponds to the 8th step in the planning cycle.

It is important that an ongoing program be systematically monitored and periodically reviewed to solve problems that may arise in the process of implementation and to determine whether the activities are proceeding as planned and if not, to make necessary adjustments.

The success of a program is determined by the extent to which it has contributed to the attainment of the plan goal and its specific goal or objectives.

It will be noted that the planning process is sequential, logical and very much dependent on reliable data and information at every step of the process. In this regard, it cannot be over-emphasized that planners must, as much as possible, make use of results of research studies directly related to the problem to which the plan is addressed. Incidentally, attached is an abstract of a research study on Values of Filipino Women, etc. which might provide the participants in this Seminar-Workshop insights into which group of Filipino women is very much in need of legal literacy, what modes of legal literacy education would be most appropriate to this group and what should be the content of the legal literacy education for this group of women.

To summarize, these are the criteria that must guide the development of a master plan aimed at bringing about a desirable change in a human condition:

- 1) The plan must address a perceived or felt need deemed significant by a concerned sector in society.
- 2) The need is adequately documented and described through a needs assessment involving the concerned groups.

- 3) The identified need (s) must serve as the basis for defining and clarifying the problem (s) addressed by the plan and must be stated in terms of performance objectives.
- 4) There must be a collective will among the sectors concerned to satisfy the identified needs.
- 5) Alternative strategies for meeting identified and prioritized needs must be considered and the strategy (ies) adopted must be socially, economically and politically feasible, i.e. capable of being successfully carried out.

OPEN FORUM

Prof. Josefina Cortes

Moderator: We are open to questions on the floor but kindly identify yourself before you ask your questions.

Atty. Quintillan: I have two questions. One is about planning. I remember one lady who is very active in looking into our programs. She has always stressed that the rule of tongue in planning the proposals is to reduce your objectives planning and double your time. Lessen your objectives but increase your time element because the way to put an idea to actual implementation takes actually a long the road. Always think of the things that you know. Always foresee. I don't know if you will agree with me but that is one question that I want to ask you in relation to planning.

My next question is related to research and the statement made earlier by Dr. Doronilla. She said that "the I and the me" — the image of the self is actually formed not out of nothing but in the context of institutions and classes of socialization. Where do these values come from? I mean, why is it that they consider themselves submissive?

I think we have to go into the youth. I don't know how we can tackle that with legal literacy but I think we should look into it.

A — Yes, that is right. When you plan, you really have to focus on your specific goal and objectives. When you formulate performance objectives, just base it on the prioritied needs. Select two or three needs so that you will only have two or three objectives which should contribute to the attainment of one particular goal which is raising the level of legal literacy among women. Your performance objectives perhaps would be how do you raise the level? For one, if you find that the women are not even aware, then your first objective is to make them aware in in order to attain your goal. That is one step of your main goal. If their literacy is very low, your next performance objective would be to increase it by a certain percent which is attainable

within the time frame. The time frame must always be based on how much resources you have and also on the difficulty and complexity of the performance objective that you have.

The second part is where do these values come from? We are all products of our own culture. We cannot dissociate ourselves from our culture. We were borne into it. We work as we perceive it. That is why I was going to ask Dr. Doronilla whether there is such a thing as an objective work because work is determined by our situation and our experiences. That is why the views that the women expressed here are more or less expressions of the situation. For example, most women prefer to work near their homes. But that situation/job is very hard to find. So what is attainable to them would be what they can do within their house and near the house. So what are the aspirations and functions of their experiences? What are the functions of their experiences? The function adjustable to them in their particular situation. "Halimbawa, ang gusto nila magkaroon lang ng trabaho na makadagdag sa kita ng pamilya." Hindi naman sila nangangarap na magpunta sa mga factories at magsuweldo. Hindi. Makadagdag lang sa income ng asawa nila at mabigyan ang mga anak nila ng mga pangangailangan. They were socialized into that. They know that that is their sense of responsibility that is supposed to be their domain and children are their responsibilities. Ang sabi nila kailangan maasikaso yung mga anak namin at kasabay nito, kailangang makatulong din kami sa aming mga asawa na magkaroon ng karagdagang kita. Tinanong namin kung anong klaseng trabaho ang gusto nila ng magkaroon ng training program tungkol dito. "We wanted to provide subsidy here. Ang sabi nila yung trabahong magagawa na malapit sa bahay nila. Huwag daw silang dadalhin sa malayo".

Director Rikken: The problem is sub-cultural revolution is on us right now. So they are not being shaped by the village or the barrio values. It has come to a point that we cannot cope with the recent revolution which is on us. For example when I visited my father's barrio somebody asked, "kamusta na ang apo mo?" Anduon ho nanganak na." That means the daughter of my second degree cousin. And then I went into this little nipa hut. I was surprised/amazed to see pasted on the wall, Playboy Magazines. I was shocked in the sense that you have seen how the Playboy Magazines have come to be? It is

plastered against the wall of this newly or one year old married couple and they don't mind it. I had the feeling that okay lang sa kanila kasi mag-asawa naman sila. The Playboy Centerfold Magazine picture in the bedroom of the couple's nipa hut was really bold. At the same time they talked about Sharon Cuneta. Since most of them are public school teachers, I wonder whether this is connected with a girl and farmer who was sent to the Philippine Normal College to study and comes back with a teacher's certificate and they cannot marry any farmer anymore without a diploma. So what happens to a good public school teacher going around together? Well, I have always questioned this when I was a little girl.

The findings in Australia show that some mail ordered brides are public school teachers. "Isa nakapag-asawa, tapos hinanap ng boyfriend." So hinakot na niya yung lahat ng kanyang gamit. That was the expectation. That was gained on what they see on T.V. We know that T.V. also influences. I have this aunt in Nueva Ecija. They have no electricity there but they have battery so they have T.V. and Betamax because they use battery. How indigenous the Philippines? "Ang usapan nga ay bakit itong sila Nora Aunor okay lang ang palitpalitan ang asawa." Acceptable. "Okey lang na kabit ni Dolfy si Alma Moreno. Eh milyun naman yung kinikita." Are these the models? Are these the not in bringing in this thing? If we do not have alternatives is this conservative to rather radical view? This really bothers me.

Dr. Cortes: When it comes to values we in the education sector have always said that we can only do so much in school. In fact, the influence of mass media is greater than that of the school. More so with the Betamax now. In the rural areas, those that come from Saudi Arabia bring home Betamax. This is really one thing that we have to look into. They crave for the classic things right into their homes and because some enterprising families would like to make money from their Betamax they own, they offer/rent this to people in the barrio by charging so much and we have no way of controlling this. We have been very strict in censorship in T.V.s and in the movies but not with privately showed movies. Betamax is something we have to look into. This is quite hard because we don't even know who have Betamax. Owners are not required to register. Does the law require them to register?

Prof. Feliciano: No, only the tapes are supposed to be registered.

Q — But there are people who produce tapes.

— If they rent out tapes, they have to register.

Q — Prof. Sereno and I were wondering whether there has been a research made on the property relations between husband and wife? We were questioning the introduction of the absolute community property relations between husband and wife as the general rule rather than the exception as part of the Family Code. My question is whether there has been a research made on the existing practice as well as what we call preference of the Filipinos, men and women, women and men on the particular marriage settlement of property relations that they would really wish to adopt in their marriage?

A — I don't think we covered that in our study — the subject of relationship between the wife and the husband especially in areas of decision making, that was one of the areas that we focused in the study. We covered also the men in this study and what came out was, the wife and the husband decides or if the husband is not around, the oldest son in the family decides. We likewise discovered that there was no difference in the way women and men responded to certain questions. For example, they would like to share decision making pertaining to rearing of children, disposal of property and change of place of residence. You know, transferring from one place to the other. Joint decision is preferred and wanted. That is the only part of the study that we accomplished. I am now aware of other studies that looked into this too. So this might be an area for further research.

By the way I would like to share with you one of the common observation of men in the U.P. Faculty Workshop. We are covering several areas and we are looking into how the University can really attend to some of the more important issues now like empowerment of women.

The paperwriters were Dr. Tapales of the Public Administration, Prof. Fernandez, Prof. Rosario del Rosario, Dr. Thelma Kintanar, they called this Women and the Home, Women and

the Arts and Mass Media, Women and Occupation. "You know husband and wife relationship is a love relationship. Men seemed to be asking and one of the men precisely said to express his anger on the paper. So the men were asking where did love go in this paper? Because the tenor of the paper was: it seems that women are protesting against the traditional role in the home like cooking, providing for the family seeing to it that when they leave the house everything is taken care of; the meals, the children washing dishes and all that. One of the reactors was a man and he said, "We love our women and we don't want to enslave them." This was one of the comments. One of the women reactors said, "You know, we tend to idealize and to romanticize the place of the women in the Philippine society. When in fact, we are really very much exploited." They stressed the contributions of women to economic development which is not at all recognized like housekeeping. These are not recognized nor are they counted in the GNP and in national accounting.

9 — That is why sometimes like at this stage of the movement I think we should again be discussing women in a very academic setting. It becomes a very argumentative debate in all countries. That is why I am more towards women talking to each other coming together in a sisterhood at the same time in a sort of re-entry to the real world. So that in a sense we should start evaluating our relationship with our husbands and with our boyfriends. Well, in a sense what I was saying is that every woman has to do it in her own stage. "Ngayon, kung ito'y ginangyan mo — panel at academic ang setting — maaring ang reaction ay maging adversarial. And then at the same time our menfolk will not be shocked to remarks about women. Anyway, I am the head of this family and I always say yes, Ma'am. What I am saying is maybe that is the reason why one time I was stranded in Cebu and I found him stranded also so I introduced myself to him and I said, did you receive my letter endorsing the Women Studies in the Department of Social Work? She said, "As a matter of fact, it is my dream that there be women studies in every college." And so I relayed this to Amar. And then immediately after, they asked who is going to teach this? Ang tingin kasi nila, kukunti pa rin yung babae o yung lalaki in U.P. who have internalized the women's perspective and concern to a point where it can be taught non-academic.

STRATEGIES ON THE LEGAL LITERACY PROGRAM

ZENAIDA S. REYES*

Introduction

First of all I would like to congratulate the PERLAS for sponsoring this National Workshop on the "Promotion of Legal Literacy Among Women" thereby providing an occasion and a forum for women, involved and not yet involved in the program, to discuss, review, and perhaps improve upon whatever existing legal literacy program/s are available to women at present.

I am not really aware if there is any institution, government or non-government, which has undertaken a study or survey and compiled data on the legal awareness of Filipino women.

I. Legal Education Opportunities of Women at Present

Initially, school children at the secondary school level studies become aware of the individual constitutional rights of Filipino citizen and the structure of the Philippine Government in the schools.¹ In progressive schools like the University of the Philippines Integrated School, the school children's legal awareness starts earlier. For they are taught practical law beginning Grade 5 up to Fourth Year High School. Teaching "Practical Law" covers the teaching of the rudiments of the basic laws that affect a citizen in their everyday life.² Hopefully, their becoming aware of the existence and enforcement of these laws will enable them not only to help protect themselves but perhaps learn how to become more law-abiding citizens.

Students in the tertiary level are generally required to take some courses in history and government, thereby augmenting

* Head, Division of Continuing Legal Education, U.P. Law Center.

¹ See Philippine Constitution, Article XIV, Sections 3 (1) and 8.

² Popularizing the Law Program (POPLAW) of the U.P Law Complex includes a project known as Teaching Practical law.

whatever legal awareness they obtained in school and elsewhere.

Other women may be required by the nature of the work/profession they are engaged in to enhance their knowledge in law. Many women managers, for instance, enroll in courses offering business law, labor relations law, legal management and similar courses. The U.P. Law Center offers special seminars, institutes and short courses in specific fields of law for the laymen and non-lawyers. Many of its participants in these special offerings are women and female students. The Law Center has an annual offering of "Teaching the Philippine Constitution" to school administrators and social science teachers in the National Capital Region to serve as a continuing update on new developments and trends on said fundamental law. Every semester, the Law Center also offers an elective course to U.P. Integrated School students called "Teaching Practical Law" which has already been mentioned above.

II. Social Responsibility of the Legal Profession

It may be asked: "what is the relationship of the 'legal literacy program' to professional responsibility?" Simply that with higher education and higher privileges goes the responsibility to serve the ordinary people and that with legal education and training goes the insights and perspectives for such service. To quote an unknown author, "the ordinary problems of ordinary people gives us the extraordinary opportunities for assuming professional responsibility".

It is worthy to note that the legal profession has began to be active in improving the social health of the environment in which the profession is practiced. The Integrated Bar of the Philippines, which is the national organization of all Filipino lawyers and many of its local chapters is continuing the "Barangay Legal Education Seminars" a system began by the U.P. Law Center about a decade ago to introduce and improve the legal awareness of the barangay officials as well as the inhabitants of the barangays. For the professional responsibility of the lawyers should include concern for justice for all in the community, not only for their clients but for all in society. This responsibility has been expanded to include extension of legal services to the poor and teaching law to the laymen to create legal awareness among them.

III. Women as Beneficiaries of Legal Literacy Programs

A review of the statistics gathered by the National Census and Statistics Office (NCSO) is imperative in any study on women especially one relating to imparting and/or increasing their legal awareness. The NCSO conducts their survey on women every ten (10) years, hence the available data will be as of 1980.

On women population in the country, the NCSO, statistics show that about forty-seven per centum (47%) of the total population of 48,098,460 (1980), are women. Thus, 23,969,705 are women and 24,128,755 are men. Of this number of Filipino women 9,178,621, and 14,791,084 are found in the urban and rural areas, respectively.

It is worthy to note that the number of women in the rural areas are almost twice those in the urban areas. This will mean that any legal literacy program will have more beneficiaries in the rural areas.

The legal literacy program for women may also be approached from another perspective like the urgency of the need for the promotion, protection, and enforcement of the legal rights of women. The NCSO has compiled statistics on the age structure of women which can be the jump off of this portion of the study.

The above figures will show that although all the age groups may need legal protection and awareness of their legal rights, it is the working age group who should be the first beneficiaries of the legal literary program for two reasons.

AGE GROUP	NUMBER	PERCENTAGE	STATUS
0 - 14 yrs.	9,856,073	41.12%	
15 - 64 yrs.	13,272,341	55.37%	Working Group
65 - over	841,291	3.51%	Dependent

First, they need protection in the activities they are engaged in and second, they may be able to protect themselves from exploitation if they are aware of their legal rights.

At present, there are active women organizations which are involved in some ways in imparting legal awareness to its members. The BAGRIELA, KABAPA, Civic Assembly of Women of the Philippines (CAWP), FILIPINA and the National Federation of Women's Clubs (NFWC) have some programs as well as committees working in this endeavor for the protection of their members.

IV. Strategies for Effective Implementation of Legal Literacy Program

Utilizing the economic status of the women target beneficiaries as the terms of reference of the legal literacy program, they may be subdivided into urban and rural women for more effective and efficient implementation of the program.

Urban Women

Urban women may further be grouped into professional and non-professional. Apparently, there will be less problem in undertaking any literacy program with the urban women. Professional women generally are more aware and interested in their legal rights, whether as an individual or as an official or employee.

One can find many women lawyers and other professional women whose legal awareness may be attributed to some courses on system of government and structure and practical courses like business law, obligations and contracts, taxation and similar subjects which are required in the universities or colleges where they obtained their degrees.

Additionally, women in business or those involved in personnel management attend skill courses wherein certain aspects of the law are taught to non-lawyers, complete with audio-visual aids and practicum. As have been mentioned above, the U.P. Law Center has pioneered on this aspect as it has been offering special programs on specific fields of law for

non-lawyers wherein many participants have been women managers and officials. For instance, its Seminars on Labor Law for Non-lawyers, Media and the Law, law and Medicine, and Negotiation Workshops are very popular with women professionals.

Special classes in undergraduate schools, barangay legal education programs and specially sponsored symposia/talks on current legal issues are more popular for the non-professionals. For in these forums the women's legal awareness are brought about more easily and without much effort because of the learning method utilized. Progressive employers, like some government agencies and private corporations may be enticed to sponsor some programs and/or symposia on relevant legal issues and problems for the enlightenment of its officials and employees which included women.

Legal information and education materials like the primer on the New Family Code or on the New Minimum Wage and Labor Relations Laws, if made easily available to women can be effective vehicles for creating legal awareness of women especially the urban women whose home life and career are affected by its provisions.

The same can be said about print and broadcast media, like regular legal columns and radio broadcasts, as far as urban women are concerned.

The legal literacy program may include Congress-sponsored press releases on legislative bills which affect women and which are being discussed in committee hearings or already forwarded for the President's approval and signature. In fact, this procedure will give substance to the Constitution's provision that the people has a right to information on matters of public concern.³

RURAL WOMEN

In the planning of a legal literacy program for rural women, it may be useful to utilize the classification of rural women as:

³ Philippine Constitution, Article III, Bill of Rights, Section 7.

1) housewives in farming households and 2) other very poor women. This will be helpful to the planners in identifying the government agencies and non-governmental organizations with which it can establish linkages for better implementation of the legal literacy program.

It is generally recognized that planning and reaching the rural women in this kind of program is more difficult than the one involving urban women. Most rural women have less educational background and are more interested in livelihood programs than their counterpart in the urban areas. A legal literacy program with them as target beneficiaries will be easier to undertake in cooperation with GOs and NGO's already working with them in the rural areas especially those in extending assistance to them for their economic, social and religious or cultural upliftment.

The strategy for the program for rural women should have two structural elements: networking and focal points. Networking will consist of a system of communicating with the focal points in the rural areas. The focal points are the government agencies or non-governmental agencies which have agreed to cooperate/work with the PERLAS in undertaking its legal literacy program.

Some existing programs which are worth looking into in relation to extending the legal literacy program to housewives in farming households are: (1) the Barangay Legal Education Programs being conducted by the local government officials; (2) government extension workers regular conferences/symposia/talks with rural women; (3) local print and broadcast media regular columns and broadcasts; and (4) information and education materials in the local dialects published by local GOs and NGOs.

The very poor rural women who are classified as those who are without households, the street children and vagrants as target beneficiaries of the legal literacy program are much more difficult to reach. First, it is more difficult because these women have no fixed residencies and second, they have very little interest and time for legal matters irrespective of any approach methodology.

Establishing linkages with government officials, barangay officials, church and civic leaders will be imperative in the implementation of the program for these women. For hospitality girls, including the prostitutes, who are likewise target beneficiaries of the program; linking up with the nightclub owners and civic leaders may be necessary. They will be able to make them find time to listen and benefit from the legal literacy program. Needless to say, audio-visual aids and legal information materials in the local dialect will be of immense value to the program.

V. Prioritizing the Legal Literacy Program

The resources of PERLAS are not unlimited. For this reason, there is need to prioritize the program. Among others, it may be useful to determine which women beneficiaries need urgently legal awareness for the protection and enforcement of their legal rights, the seasonal working arrangement of working women, urban or rural, and the peace and order condition of the venue of the program/projects.

It is likewise important that the sourcing of funds and necessary logistics as well as availability of lecturers/resource persons and other necessary staff assistants be looked into for the success of any program will depend on these two items.

VI. Conclusion and Recommendations

The legal literacy program of the PERLAS is a laudable project. It appears, at present, that very few women organizations undertake such program and if there are such programs, it has not been undertaken on a nation-wide basis.

It is recommended that PERLAS network with women organizations which are already involved in such program for cooperation or implementation of a joint new and revitalized legal literacy program; that PERLAS establish linkages with government agencies and non-governmental organizations in undertaking its legal literacy program on a nation-wide basis, that PERLAS establish a clearing house of legal information for women and that PERLAS should do its best to keep the program, once started, sustained and coordinated.

CLOSING ADDRESS

SANTANINA T. RASUL*

Fellow Women Leaders, Women's Rights Advocates, and Friends,

I am very pleased to see concerted efforts among women leaders and women's rights advocates to bring to the attention of women themselves problems and issues affecting them. I am even happier to note that the workshops I have been invited to attend lately focus, not on the problems per se but on cooperative solutions to these problems. Yesterday, I addressed a group of women concerned with grassroots organizing, lobbying, and volunteerism, and today I am addressing a group of lawyers concerned with the promotion of legal literacy among women. I trust that your two-day workshop has been most fruitful.

For the past 13 years women have been lucky to have the world's attention on them, finally after centuries of being ignored. In the first few years, emphasis was given to the problems faced by women — the discrimination at work, the double standards of morality, the double burdens of home and career. In the latter part, the discussions of these problems have led to concrete recommendations for their solution. This time, the focus has shifted to direct efforts at organizing women and supporting them in their efforts to help themselves. Such direction is reassuring.

Of course, we cannot deny that even in the past, there have been efforts to help women help themselves. For instance, I have been involved myself in literacy programs for women. However, the new magnitude with which these projects are now being pursued is most encouraging. Never before have there been so many non-governmental organizations directly concerned with organizing and assisting women.

*Senator, Congress of the Republic of the Philippines.

PERLAS stands among those NGO's whose missions as far as women's welfare is concerned, is vital.

Literacy, it cannot be denied, is an important step towards the emancipation of women. Literacy enables people to see beyond that which they are allowed to see — beyond their tradition, customs, and their little clans and communities. Seeing beyond the confines of their limited experience, they are able to discern their own problems, and relate them to the rest of their sisters.

Beyond this, legal literacy allows them to know much more. It enables them to know their rights as persons, as citizens, and as women. Your group is, therefore, performing an important function because in teaching women the law, you are teaching them about their rights. Thus, you are providing them with the weapon to fight discrimination and exploitation .

Observers have noted that Philippine law has not been as unjust to women as that of other countries. Especially under the 1987 Constitution and the New Family Code, where discrimination against women in the law has been reduced. But all along, there have been laws favorable to women, but which women in their ignorance (and I do not mean only the non-literate women) have not been aware of. One example is the provision in the Labor Code on day care nurseries in establishments employing women. While many women prefer community-based day care centers, the knowledge that such provision exists to lighten their burdens could have given them rooms for compromise with management.

There are also many aspects of law not directly provided, and women's prerogatives may be obtained by interpretation. This is knowledge which will be beneficial to women, this must be taught them. Even the most intelligent of women do not know the nuances of law, especially in aspects relating to their rights. This is an area where your project on legal literacy for women would be most helpful.

Above all, knowledge of the law helps in organizing mutual cooperation. Knowledge of the law becomes a potent instrument for women's organizations, and for women's projects. In

this area, networking with women's organizations concerned with advocacy of women's issues will be most useful.

Women lawyers have customarily led liberal women's causes. In the debates on divorce in the past decades, women lawyers carried the unpopular view that divorce is liberating for women. In the formulation of the Family Code, women lawyers were also active. PERLAS shows to all that the concern for the welfare of women through law has not died. Other women's organizations have also kept the fires burning.

In the quest for emancipation of women through law, what is most important is the advocacy of legal reforms which best fits the Philippine culture at large. All too often, the impracticability of legal provisions against the cultural background prevents their meaningful implementation. While we teach our women their legal rights, we should also work for legislative bills and administrative issuances which reflect Philippine cultural realities.

Thus, the fight for legal emancipation of Filipino women must be waged on two fronts — at the level of organizing and teaching to make women aware of their rights; and at the level of law-making to see to it that legal reforms conform to cultural realities.

You who are gathered here today are performing the vital function of learning from each other so that you can come up with legal measures for women's emancipation, and with means by which women will know that such laws exist.

Let me, therefore, congratulate you, and wish you well in all your efforts. May you join the worldwide network of women advocates for legal reforms and legal literacy, as the battle for women's welfare also transcend other countries. Above all, I wish you success in your efforts in the countryside.

CLOSING REMARKS

MYRNA S. FELICIANO*

On behalf of PERLAS and the U.P. Legal Resources Center, I thank you all for having participated in this Workshop on the promotion of legal literacy with emphasis on women's rights. I realize the sacrifice you have had to make, in spending two whole days in the verdant hills of Antipolo. So I repeat, ladies, we appreciate your presence here and the contributions you have made in the last two days.

Our activities here indicate that we have our work cut out for us. If the law is going to serve as an agent of change, we have much catching up to do where the political, civil and economic rights of women are concerned.

We have fashioned today a national legal literacy programme together with a plan of action and we will be mailing it to you after a week.

Let us familiarize ourselves with this document and begin applying the strategies it suggests, so that there may be some kind of synthesis of the goals and activities of the different organizations represented here. In other words, let us all keep in touch with each other after we leave here today and seek unity in the diversity of our various undertakings. We, in PERLAS, would be glad to work with you all in promoting knowledge of the law among our women, especially in the regions. As a strategy for *hastening* the pace of change, we believe that the impact would be considerably strong if this could be carried out systematically and with unity. As Senator Shahani has said elsewhere: "AFTER ALL SISTERHOOD IS GLOBAL".

I thank you all once again for the success of this national workshop. Good day to you all.

*Chairman, National Workshop; Director, U.P. Legal Resources Center, U.P. Law Complex; Member, Board of Directors, PERLAS.

APPENDICES

WORKSHOP GROUP I REPORT

FOR EFFECTIVE LEGAL AID AND LEGAL INFORMATION

Chairperson: Atty. Zenaida P. Reyes

The Group discussed the importance of an effective networking with other organizations, government organizations (GOs) or non-governmental organizations (NGOs) for the success of the legal literacy program among Filipino women.

Further, the Group focused on the problems and/or issues which must be addressed by the legal literacy program, what strategies could be adopted and what existing organizations could the PERLAS network to carry out its legal literacy program.

After a lengthy discussion, the Group prepared and recommended the following for PERLAS' effective networking for legal information for Filipino women.

EFFECTIVE NETWORKING

ISSUE I

1. State of the art

The present capabilities of possible members of the network.

2. The need to define 3 problem areas

a. **LEGAL AID**

its scope and extent

b. Legal Information

c. Legal Advocacy

A. LEGAL AID

1. **Strategies**

1.1. Conduct a nation-wide survey:

- GO's, NGO's
- not limited to questionnaires
- send people to talk to legal aid practitioners and to see the clinics

1.2. Conference on legal aid model (strict practitioners)

a. Present program

- b. Vision
- c. Needs

2. **Structure**

2.1. NCW funding

2.2. PERLAS and participants of this workshop

ISSUE II

1. counselling
2. prosecution/defense in legal or administrative bodies
3. Documentation/investigation
4. Research
5. Post release rehabilitation approaches:
 - Sports
 - Political
 - Religious
 - Economic
 - Cultural
6. Recommendations for
 - parol/pardon
 - probation
 - bail or recognizance for minor offenders
 - reduction of ball

B. LEGAL INFORMATION**2. Structure****2.1. Bureau of Women and Young Workers (BWYW)**

- information modules
- primaries

2.2. Philippine Information Agency

- coordinate special projects
- trainor's training
- women paralegals
- organization support
- list of volunteer lawyers

1. Strategies**1.1. Government offices and PERLAS****1.2. Non-Governmental Organization & PERLAS linking with other agencies**

- kit survey forms
- information van (slides)
- dialogue with GO's, NGO's
- library service

1.3. Circulo de Abogadas (CIRDA)

- radio/TV programs
- community assemblies
- lecture circuit
- legal counselling make use of reference

1.4. Katipunan ng Bagong Pilipina (KABAPA)

- "gabays" - primarily for rural women
- pamphlets in different dialects
- seminars
- trainor's training (echo)
- provincial leaders

1.5. Free Legal Assistance Volunteers Association,
Inc. (FREE LAVA)

- refresher courses on legal rights to law enforcers
- effective parenting
- parents of out-of-school
- community scouting in depressed areas
- rehabilitation/boyscouting in jails
- seminars - according to sectors

1.6. Buhay Foundation, Inc. (BUHAY)

- seminars

C. LEGAL ADVOCACY

2. Structure

2.1. PILIPINA

- mediawatch
- child care
- legislation

1. Strategies

- 1.1. monitor legislation
- 1.2. convention, seminars
- 1.3. analysis of bills/laws
- 1.4. policy statements
- 1.5. legislative agenda, establish positions on issues/bills

2.2. Free Legal Assistance Volunteers Association, Inc.
(FREE LAVA)

- resolutions — to be sponsored by local officials/legislators

RECOMMENDATIONS:

1. Conference with legal aid practitioners.
2. Dialogue among different agencies.
3. National Commission on Women (NCW) to set up a trainer's group.

4. Set up a clearing house/data bank.
5. Conduct periodic meeting by regional officers.
6. Appoint contact person in each organization network with PERLAS.
 - 6.1. work with councils/local bodies/legislators
 - 6.2. work with media, senate
 - 6.3. coalesce with other origins
 - 6.4. working close with lady legislators
"think tank"
7. Develop effective network through:
 - 7.1. Lawyer to sit with one network to see what is lacking.
— existing: WILOCI, IBP, UP LAW CENTER
 - 7.2. Dialogue among national law groups, local chapters, NGO's

WORKSHOP GROUP II REPORT**HOW TO DEVELOP A FUNCTIONAL LEGAL
LITERACY PROGRAM**

Chairperson: Justice Ofelia Calcetas Santos

The group first adopted a broad outline which served as its guide in the discussion of its responsibility of developing a functional legal literacy program for Filipino women. They agreed that before such program could be developed there should be a definition of the following terms:

1. functional program
2. legal literacy
3. legal advocacy
4. legal information
5. legal assistance
6. new woman
7. resources
8. gender orientation
9. values
10. empowerment
11. confidence
12. equality before the law
13. networking
14. strategies

For the program's priorities, the group's consensus was to determine first, the subject matter of the program, second, who should be its beneficiaries and third, what geographical areas should first be attended to give the perceived legal needs of the women in said areas.

I. OBJECTIVES

The group agreed that the primary objective of this program is to achieve the constitutional mandate of equality of women and men before the law and the full integration of the "new woman" in the community thru:

1. legal awareness and consciousness;
2. empowerment and development of capabilities and self-confidence;
3. provide channels and/or linkages to channels for legal assistance and action; and
4. research and law reform.

Further discussion of the group focused on the following indispensable elements of an effective legal literacy program:

1. information;
2. advocacy including legal aid; and
3. resources including research and publication.

II. TIME FRAME

The subjects/topics to be discussed in the program, which shall be conducted on a short term and long term basis, are the following:

1. Short Term (1 year period)
 - a. Constitution
 - b. Family Code, the Civil Code, the Child and Youth Welfare Code and applicable provisions of the Revised Penal Code.
2. Long Term (beyond 1 year)
 - a. Constitution
 - b. Family Code
 - c. Labor Code
 - d. Access to justice focusing initially on Presidential Decree No. 1508 otherwise known as the Katarungang Pambarangay Law.
 - e. Property Rights (e.g. land acquisition, land disputes, agrarian laws relevant to women)

III. TARGET BENEFICIARIES

The group agreed that the following target beneficiaries shall be addressed to by PERLAS' legal literacy program:

1. Grassroots, both in the urban and rural areas
2. Blue-collar workers

IV. MEANS AND STRATEGIES

After discussing various means and strategies, the group agreed on the following:

1. Inventory and classification of existing legal literacy programs and organizations and their resources and structures:
 - a. government organizations
 - b. non-governmental organizations
 - c. legal information
 - d. legal assistance
2. Programs, structures and location
 - including marriage and existing public service in media
3. Project contents
4. Methods and Strategies
5. Resources:
 - a. personal
 - b. physical facilities and equipment
 - c. funds
 - d. human resources development
 - gender orientation
 - community organizing skills
 - legal and technical orientation

V. MONITORING AND EVALUATION

Mindful of the need to monitor the program and to ensure that it is sustained and effective, the group agreed to adopt the following:

1. Frequency of monitoring: it depends on the particular program, however, periodic monitoring is advised.

2. Mechanics of monitoring
 - a. criteria for monitoring
 - b. composition of monitoring team
 - c. instruments:
 - periodic reports
 - field inspection
3. Mechanics of evaluation
 - a. criteria for evaluation
 - b. composition of evaluating team
 - c. instruments:
 - periodic reports
 - field inspection
 - survey
 - tests

VI. EXISTING LEGAL LITERACY PROGRAM

The group ended its discussion with a partial list of existing legal literacy programs and the corresponding sponsoring organizations:

1. Circulo de Abogadas (CIRDA) - "Indong sa Abogada"
 - a. continuing, long range
 - b. The Child and Youth Welfare Code PD 603, Dangerous Drugs Act, Constitution, Family Code, Consumerism, Current Issues, Election Laws and Citizens' Participation
2. BUHAY Foundation - garment workers and assertion training
3. PILIPINA Legal Resource Center, Inc. (PLRC)
Magallanes St., Davao City
 - a. conducts basic law training programs and lectures among women organizations particularly rural improvement clubs in Davao City and Davao del Sur using the local dialect as the medium of communication

- b. barangay-based
 - c. laws shared are the Family Code, Presidential Decree No. 603, Presidential Decree No. 1508, Procedure and Evidence on Sex-Related Offenses
4. Sentro ng Batas Pangtao (BATAS)
 - a. legal information for the grassroots in urban and rural areas and tribal communities
 5. Philippine Muslim Association
 - a. seminars on rights and privileges of Muslim women
 6. Katipunan ng Bagong Pilipina (KABAPA)
 - a. seminars and symposia on legal matters
 - b. production of "gabays" or pamphlets in different dialects principally for the people in the rural areas
 7. Free Legal Assistance Volunteers Association, Inc. (FREE LAVA)
 - a. refresher courses on legal rights to law enforcement
 8. UP LAW Center
 - a. Practical Law program for teacher trainors and students
 9. UP Legal Resources Center
 - a. production of Women's Guides to Law

WORKSHOP GROUP III REPORT

TRAINING PROGRAMS

Chairperson: Dr. Victoria Enojada

After the Group listed what were already given or assumed in undertaking PERLAS' legal literacy training program, it defined the program's general objectives and goals. After some discussion, the Group agreed that its general objective is to equip the participants of its train in program with the necessary knowledge, attitude and skills to effectively carry out their function as paralegal trainers on women's issues. Specifically, the participants should, at the end of the training program, be able to discuss and explain basic legal information, both substantively and procedural; as well as prepare, with or without PERLAS's assistance, their own training designs.

Likewise, the Group discussed and agreed on a training program framework which PERLAS can utilize. The following is the group's Training Program Framework.

I. ASSUMPTIONS:

1. Priority target -grassroot (urban and rural)
2. Implementors - non-governmental organizations
3. Training levels
 - a. Trainers' Training
 - b. Basic Training (grassroots)

II. OBJECTIVES (2 levels)

1. Trainers' training

General:

To equip the participants with the necessary knowledge, attitude, and skills to effectively function as paralegal trainers on women's issues.

Specific:

At the end of the training program, the participants should be able to:

1. to discuss and explain basic legal information, both substantive and procedural; and
2. prepare their own training design.

III. TRAINING PROGRAM FRAMEWORK:**A. ATTITUDES**

1. Perspective on women's issues
2. Understanding self and role as paralegal trainers (PLTs)

B. KNOWLEDGE & SKILLS

1. Areas of concern
2. Methodology (to transfer knowledge)
 - 2.1. materials development
 - 2.2. curriculum design (what is needed in the area)

C. ACTION PLAN

1. Preparation of training design for implementation

D. GENERAL AREAS OF CONCERN:

Functional literacy applicable to everyday life

1. Family Code
 - 1.1. Family Code
 - 1.2. Civil Code provisions
 - 1.3. Applicable Presidential Decree No. 603 (The Child and Youth Welfare Code) provisions
 - 1.4. Applicable Revised Penal Code provisions
 - 1.5. Basic constitutional provisions
2. Constitution
3. Labor Code provisions on women

4. Access to Justice

— procedural matters (e.g. Katarungang Pambarangay Law Presidential Decree No. 1508)

5. Property Rights

(e.g. land acquisition, land disputes and agrarian laws relevant to women)

6. Practical Tips**E. QUALIFICATIONS OF TRAINORS:****1. Indigenous**

1.1. Literate

1.2. Credible

1.3. Community Leaders

1.4. Effective communicator

1.5. Basic awareness of women's issues

2. Mobile

-same-

IV. TRAINORS' DESIGN:**A. OBJECTIVES**

1. Identify and discuss women's issues
2. Identify strengths and weaknesses as a person and as a paralegal trainor (PLT)
3. Discuss and explain areas of concern
4. Practice skills as a paralegal trainor (PLT)
5. Prepare re-entry plan

B. CONTENTS

1. Perspectives on women's issues
2. Self-understanding as a person & as a paralegal trainor (PLT)
3. Specific subjects in the law & practical tips

4. Trainers' skills

4.1 Visual

4.2 Training behavioral objective

4.3 Evaluation Instrument Preparation

5. Preparation of re-entry plan**C. METHODOLOGY
(PARTICIPATION)**

1. Lecture, discussion
2. Group dynamics exercises & reflections
3. Lecture, discussion, workshop
4. Lecture, Discussion, Demonstration
5. Role playing and actual preparation

D. RESOURCES**HUMAN**

1. PERLAS
2. Group dynamics expert
3. Lawyers
4. Trainers
5. -do-

MATERIALS

1. Reading materials, handouts, etc.
2. Group dynamics materials and others as identified by the trainers
3. - do -
4. Materials as need arise
5. - do -

TIME FRAME**(7 Days)**

1. 4 hrs.
2. 4 hrs.

3. 3 days
4. 3 days
5. Unused time from #4

E. EXPECTED OUTPUT

1. Motivated paralegal trainers (PLDTs)
2. Self-discovery
3. Well-informed paralegal trainers (PLTs)
4. Skilled paralegal trainers (PLTs)
5. - do -

V. WORKSHOP RESOLUTIONS

1. CORE GROUP

The participants of the workshop resolved to create a core group which shall be responsible for the implementation of the different workshop reports.

Chairman:	Dr. Purificacion V. Quisumbing
Vice-Chairman:	Prof. Myrna S. Feliciano
Secretariat:	Prof. Ma. Lourdes Aranal-Sereno
Members:	Hon. Ofelia Calcetas-Santos (JBC)
	Atty. Ma. Elena Ballera (CIRDA)
	Marilyn Cepe (BATAS)
	Evangeline de Pedro
	Trinidad Domingo (KABAPA)
	Dolly de Quiros Castillo
	Edna Tesoro
	Angelita Pulgado
	Fely Clemente (BWYC)
	Zoraida Tamano (OMACC & MSV)
	Zenaida S. Reyes (UPLC)
	Hedy R. Marin (NMYC)
	Glenda T. Litong (UP PVO)

2. PILOT PROJECTS

Likewise, the participants resolved to undertake pilot projects with the specific participating organizations as implementors in the different identified target areas. Contact persons in each organization were identified to facilitate effective networking as well as successful implementation of PERLAS pilot projects.

2.1 Agencies (Implementors)

- a. Free Lava
- b. PLRC
- c. KABAPA
- d. NMYC
- e. BWYC
- f. OMACC & MSU

2.2. Areas

- Cebu
- Davao
- Luzon
- Bicol
- Manila
- Mindanao

2.3. c/o

- Atty. Geonzon
- Atty. Montejo
- Trinidad Domingo
- Hedy R. Marin
- Mrs. Clemente
- Mrs. Tamano

3. Letter of Commendation and Appreciation to ESCAP, Asia Foundation, NCW and UPLRC.

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Vice-President	Lorna Patajo-Kapunan
Secretary	Bernadette D. Bretaña
Treasurer	Marilyn C. Cepe
Auditor	Edith M. Mulingtapang

Directors

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Virginia S. Dandan	Edith M. Mulingtapang
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Vice-Chaiperson	—	Lorna Patajo-Kapunan

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Vice-Chairperson	—	Prof. Ma. Lourdes Aranal-Sereno

Media

Chairperson	—	Ms. Pennie Azarcon-dela Cruz
Vice-Chairperson	—	Ms. Domini Torrevillas-Suarrez

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Participation

Chairperson	—	Judge Zenaida Necesito-Elepaño
Vice-Chairperson	—	Atty. Evelina V. Estrada

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PROGRAM FOR WOMEN**

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